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REMINISCENCES OF A LONG LIFE*

BY

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SECOND SERIES

I

FIRST YEARS IN AMERICA

ILLUSTRATED WITH PORTRAITS AND VIEWS

ON the 17th of September, 1852, my young wife and I entered the harbor of New York on board the fine packet ship "City of London," after a voyage of twenty-eight days. There were in that period steamers — although only a few of them — regularly running between England and the United States. But a friend of ours who had visited this country several times had told us that a good, large sailing ship was safer than a steamer, and more comfortable to persons liable to sea-sickness, besides being somewhat more economical as to the rates of passage. Thus persuaded, we chose the packet "City of London," a full ship of about two thousand tons, magnificent to look at. And we did not repent of our choice. Our state-room was large and commodious, the captain, although a thoroughly sea-bred man, polite and attentive, the table not bad, and the traveling company agreeable. There were several hundred emigrants in the steerage, but only about twenty passengers in the cabin, among them a Yale professor and several New York merchants. I was not able to converse in English at that time; but as the Yale professor spoke some German, and two or three of the New York merchants some French, there was amusing and instructive entertainment enough.

Having determined to make the United States my permanent home, I was resolved to look at everything from the brightest side, and not to permit myself to be discouraged by any disappointment.

I knew that in this my buoyant Rhenish blood would help me much. But I was not so sure as to whether my young wife, whose temperament was not so sanguine as mine and who had grown up in easier conditions and in constant contact with sympathetic people, would be able readily and cheerfully to accept the vicissitudes of life in a new country and a strange social atmosphere. But we were young — I twenty-three years old, and my wife eighteen — and much might be hoped from the adaptability of youth. Still, I was anxious that the first impression of the new country should be bright and inspiring to her. And that wish was at once

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gratified in the highest degree. The day on which we arrived in New York harbor could not have been more glorious. The bay and the islands surrounding it were radiant with sunlit splendor. When we beheld this spectacle, so surprisingly entrancing after a four weeks' journey over the waste of waters, our hearts fairly leaped with joy. We felt as if we were entering through this gorgeous portal a world of peace and happiness.

As we skirted the shore of Staten Island, with its fine country houses and green lawns and massive clumps of shade trees a delightful picture of comfort and contentment — Staten Island was then still a favorite summering place — I asked one of my fellow passengers what kind of people lived in those charming dwellings. "Rich New Yorkers," said he. "And how much must a man have to be called a rich New Yorker?" I asked. "Well," he answered, "a man who has something like $150,000 or $200,000 or an assured income of $10,000 or $12,000 would be considered wealthy. Of course, there are men who have more than that — as much as a million or two, or even more." "Are there many such in New York?" "Oh no, not many; perhaps a dozen. But the number of people who might be called 'well to do' is large." "And are there many poor people in New York?" "Yes, some; mostly new-comers, I think. But what is called poverty here would in many cases hardly be called poverty in London or Paris. There are scarcely any hopelessly poor here. It is generally thought here that nobody need be poor."

In the changing course of time I have often remembered this conversation.

New York in 1852

It was not easy to find a place of rest for our first night in the New World. Our fellow passengers had recommended to us the Astor House as the best hostelry in New York. But the Astor House was full to overflowing, and so our carriage had laboriously to work its way through the confusion of omnibuses and drays and other vehicles up thundering Broadway from hotel to hotel. But in none of them did we find a vacant room until finally we reached Fourteenth Street, where the Union Square Hotel opened to us a hospitable abode — a very plainly furnished room, but sufficient for our needs.

The recollection of our first dinner at the Union Square Hotel is still vivid in my mind. It was a table d'hôte, if I remember rightly, at five o'clock in the afternoon. Dinner-time was announced by the fierce beating of a gong, an instrument which on that occasion I heard for the first time. The guests then filed into a large, bare dining-room with one long row of tables. Some fifteen or twenty negroes, clad in white jackets, white aprons, and white cotton gloves, stood ready to conduct the guests to their seats, which they did with broad smiles and curiously elaborate bows and foot scrapings. A portly colored head-waiter in a dress coat and white necktie, whose manners were strikingly grand and patronizing, directed their movements. When the guests were seated, the head-waiter struck a loud bell; then the negroes rapidly filed out and soon reappeared carrying large soup tureens covered with bright silver covers. They planted themselves along the table at certain intervals, standing for a second motionless. At another clang of their commander's bell they lifted their tureens high up and then deposited them upon the table with a bump that made the chandeliers tremble and came near terrifying the ladies. But this was not the end of the ceremony. The negroes held fast with their right hands to the handles of the silver covers until another stroke of the bell resounded. Then they jerked off the covers, swung them high over their heads, and thus marched off as if carrying away their booty in triumph. So the dinner went on, with several repetitions of such proceedings, the negroes getting all the while more and more enthusiastic and bizarre in their performances. I was told that like customs existed at other hotels, but I have never seen them elsewhere executed with the same perfection as at our first dinner in America.

I remember well our first walk to see the town: — the very noisy bustle on the principal streets; the men, old and young, mostly looking serious and preoccupied, and moving on with energetic rapidity; the women also appearing sober-minded and busy, although many of them were clothed in loud colors, red, green, yellow, or blue of a very pronounced glare; the people, although they must have belonged to very different stations in life, looking surprisingly alike in feature and expression as well as habit; no military sentinels at public buildings; no soldiers on the streets, no liveried coachmen or servants; no uniformed officials except the police. We

observed huge banners stretched across the street, upon which were inscribed the names of Pierce and King as the Democratic, and Scott and Gorham as the Whig candidates for the presidency and the vice-presidency — names which at that time had, to me, no meaning, except that they indicated the impendency of a presidential election and the existence of competing political parties. As to the American politics of the day, I had received only some vague impressions through my conversations with various persons. My friend Kinkel, who had visited the United States in 1851 in the interest of the revolutionary movement in Europe, had been received by President Fillmore and had described him to me as a "fruendlicher und wohlwollender Greis" (an amiable and benevolent old gentleman). Of the political parties he would tell me only that they both seemed to be dominated by the slave-holders, or at least to be afraid of the slavery question, and that most of the Germans in the United States were on the side of the Democrats because they were attracted by the name of democrat and because they believed that the Democratic party could be more surely depended upon to protect the rights of the foreign-born citizens.

We spent two or three days in trying to see what "sights" there were in the city, and we found that there were none in the way of museums, or galleries, or remarkable public or private buildings. Barnum's museum of curiosities on the corner of Broadway and Ann Street, opposite St. Paul's church, was pointed out to us as a thing really worth seeing. In the shop-windows on Broadway we observed nothing extraordinary. The theaters we could not enjoy because I did not understand English. The busy crowds thronging the streets were always interesting, but strange: not a familiar face among them. A feeling of lonesomeness began to settle upon us.

Then my young wife fell ill. I called in an old American doctor who lived in the hotel. He seemed to be a man of ability; he certainly was very genial and kind. He knew some French, and thus we could converse. As the illness of my wife became known in the hotel, a spirit of helpfulness manifested itself among the guests, which surprised and touched me deeply — that American helpfulness which was then, and, I trust, is now, one of the finest and most distinguishing characteristics of this people. Gentlemen and ladies, one after another, called upon me to ask whether they could be of any service. Some of the ladies, in fact, now and then relieved me from my watch at my wife's bedside to give me an hour's breathing time in the open air. I then walked up and down or sat on a bench in the little park of Union Square which was surrounded by a high iron railing. Union Square was at that period far "up town." There were above Fourteenth Street many blocks or clumps of houses with large gaps between them, but, as far as I can remember, no continuous, solidly built-up streets. Madison Square showed many vacant lots, there being a field partly planted with corn and enclosed by a picket fence where the Fifth Avenue Hotel now stands. Wandering circuses used to pitch their tents on that spot. But although far up town, Union Square had its share of noisy bustle.

There, then, in that little park, I had my breathing spells, usually in the dusk of evening. They were among the most melancholy hours of my life. There I was in the great Republic, the ideal of my dreams, feeling myself utterly lonesome and forlorn. The future lay before me wrapped in an impenetrable cloud. What I had seen was not so different from Europe as I had vaguely expected, and yet it was strange and mysterious. Would my experiences here realize the ideal I had conceived, or would they destroy it? I had to struggle hard against these gloomy musings, and finally I roused myself to the thought that in order to get into sympathy with the busy life I saw around me, I must become active in it, become of it — and that the sooner the better.

During my wife's illness, which lasted nearly a fortnight, I had exchanged letters with some of my German friends in Philadelphia, especially with my "chum" of former days, Adolph Strodtmann, who had established in Philadelphia a small German bookstore and published a little German weekly paper — *Die Locomotive*, — and with Dr. Heinrich Tiedemann, a brother of the unfortunate Colonel Tiedemann, the Governor of Rastadt, on whose staff I had served as an aide-de-camp during the siege of that fortress. Dr. Tiedemann had settled down in Philadelphia as a physician and was in good practice. We longed for the face of a friend; and as there was nothing to hold us in New York, we resolved to visit Philadelphia, not

with any purpose of permanent settlement, but thinking that it might be a good place for a beginning of systematic study. This it proved to be. We soon found among the recently immigrated Germans, and also among Americans, a sympathetic social intercourse, and with it that cheerfulness of mind which encourages interest in one's surroundings.

Learning the English Language

My first task was to learn English in the shortest possible time. I have, of late years, frequently had to answer inquiries addressed to me by educators and others concerning the methods by which I acquired what knowledge of the language and what facility in using it I possess. That method was very simple. I did not use an English grammar. I do not think I ever had one in my library. I resolutely began to read — first my daily newspaper, which happened to be the *Philadelphia Ledger*. Regularly every day I worked through editorial articles, the news letters and dispatches, and even as many of the advertisements as my time would allow. The *Philadelphia Ledger*, which has since become a very excellent, influential, and important organ of public opinion, was at that time a small and ill-printed sheet, rather colorless in politics, which entertained its readers largely with serious editorial dissertations on such innocent subjects as "The Joys of Spring," "The Beauties of Friendship," "The Blessings of a Virtuous Life," and the like — sometimes a little insipid, but usually very respectable in point of style. Then I proceeded to read English novels. The first one I took up, if I remember rightly, was "The Vicar of Wakefield." Then followed Walter Scott, Dickens, and Thackeray; then Macaulay's historical essays, and, as I thought of preparing myself for the legal profession, Blackstone's "Commentaries," the clear and vigorous style of which I have always continued to regard as a very great model. Shakspere's plays, the enormous vocabulary of which presented more difficulties than all the rest, came last. But I did my reading with the utmost conscientiousness. I never permitted myself to skip a word the meaning of which I did not clearly understand, and I never failed to consult the dictionary in every doubtful case.

At the same time I practised an exercise which I found exceedingly effective. I had become acquainted with the "Letters of Junius" through a German translation by Arnold Ruge, and was greatly fascinated by the brilliancy of this style of political discussion. As soon as I thought myself sufficiently advanced in the knowledge of the language, I procured an English edition of Junius and translated a considerable number of the letters from the English text into German in writing; then I translated, also in writing, my German translation back into English, and finally compared this re-translation with the English original. This was very laborious work, but, so to speak, I felt in my bones how it helped me. Together with my reading, it gave me what I might call a sense of the logic and also of the music of the language.

When I began to write in English — letters or other more pretentious compositions — it happened to me not infrequently that in reading over what I had written I stopped at certain forms of expression I had used, doubting whether they were grammatically correct. I then sometimes tried to substitute other forms; but almost invariably I found, upon consulting competent authority, that the phrase as I had originally put it down, following my instinct, was better than the substitute. In less than six months after I had begun this course of study I was sufficiently advanced to carry on a conversation in English about subjects not requiring a wide knowledge of technical terms, with tolerable ease, and to write a decent letter.

Since becoming known as a speaker and writer in English as well as in German, I have often been asked by persons interested in linguistic studies or in psychological problems whether while speaking or writing I was thinking in English or in German, and whether I was constantly translating from one language into the other. The answer was that when speaking or writing in English, I was thinking in English, and when speaking or writing in German, I was thinking in German; and when my mind followed a train of thought which did not require immediate expression in words, I was unconscious of what language I was thinking in.

I have also often been asked in which language I preferred to think and write. I have had to answer that this depended on the subject, the purpose, and the occasion. On the whole, I preferred the English language for public speaking, partly on account of the simplicity of its syntactic construction, and partly because the pronunciation of the

consonants is mechanically easier and less fatiguing to the speaker. I have preferred it also for the discussion of political subjects and of business affairs because of its full and precise terminology. But for the discussion of philosophical matters, for poetry, and for familiar, intimate conversation I have preferred the German. And beyond this, I have found that about certain subjects, or with certain persons who understand English and German equally well, I would rather speak in English or in German, as the case might be, without clearly knowing the reason why. It was a matter of feeling which cannot be exactly defined.

Lucretia Mott and Jay Cooke

In Philadelphia I made my first acquaintances. At that period the Quaker, with his broad-brimmed hat, his straight coat, and his standing collar, and the Quakeress, with her gray dress, her white kerchief covering her shoulders, and her poke-bonnet, were still very familiar figures on the streets of that city. Foremost among them in public estimation at the time stood Lucretia Mott, a woman, as I was told, renowned for her high character, her culture, and the zeal and ability with which she advocated various progressive movements. To her I had the good fortune to be introduced by a German friend. I thought she was the most beautiful old lady I had ever seen. Her features were of exquisite fineness. Not one of the wrinkles with which age had marked her face, would one have wished away. Her dark eyes beamed with intelligence and benignity. She received me with gentle grace, and in the course of the short conversation we had she expressed the hope that, as a citizen, I would never be indifferent to the slavery question as, to her great grief, many people at the time seemed to be.

Another acquaintance of interest we made was that of Mr. Jay Cooke and his family. We met them at Cape May, where at the beginning of the summer of 1853 we went with our first baby to escape from the oppressive heat of the city. Mr. Cooke was then not yet the great banker and financier he became during the Civil War, but he was easily recognized as a man of uncommon ability, energy, and public spirit. The attention of the Cookes was mainly attracted by the beauty, grace, and ingenuous conversation, in her naïve German-English, of my wife; and as they were evidently good-hearted people of frank and simple manners, we soon became fast friends and remained so for many years. They were the first family of very strict and active church members we learned to know intimately; they had in their house their regular morning and evening prayers in which not only all the members of the family but also the servants took part, and in which the guests of the house were invited, and, I suppose, expected to join. But there was prevalent in the family an atmosphere of kindly toleration and of buoyant cheerfulness which made everybody feel comfortable and at home. When some years later I was, with many others, Mr. Cooke's guest at his country seat "Ogontz," I saw him one morning in the large hall devoutly kneel down with his family and household to lead in prayer, and then, as soon as the prayer was over, jump up, clap his hands with boyish glee, and cry out in his most jovial tones: "Now let's be jolly!" There was a sort of rustic heartiness in his looks and his whole being which was quite genuine and endeared him much to his friends. It is generally recognized that, as a financier, he rendered very valuable service to the country during the Civil War, and I do not think anybody grudged him the fortune he gathered for himself. When in 1873 he lost that fortune in consequence of his altogether too sanguine ventures in the Northern Pacific enterprise, and many others lost their money with him, he had much sympathy, and there was a widespread confidence that he would faithfully pay all his honest debts, which he did.

Democracy in Operation

During our sojourn in Philadelphia our social intercourse was necessarily limited. But I availed myself of every opportunity of talking with people of various classes and of thus informing myself about their ways of thinking, their hopes and apprehensions, their prejudices and their sympathies. At the same time I industriously studied the political history and institutions of the country, and as to current events and their significance my newspaper reading soon went beyond the columns of the *Ledger*. The impressions I received were summed up in a letter which at that period I wrote to my friend, Miss Malwida von Meysenburg. I had long forgotten it when years afterwards it turned up in her "Memoirs of an Idealist,"

an exceedingly interesting book which has so well held its place in literature that but recently, more than a quarter of a century after its first appearance, a new edition has been printed and widely read.

In that letter I described how European revolutionary idealists, as I knew them in the old world, would at first be startled, if not shocked, by the aspect of this really free people — a democracy in full operation on a large scale; the most contradictory tendencies and movements openly at work side by side against each other — enlightenment and stupid bigotry, good citizenship and lawlessness, benevolent and open-handed public spirit and rapacious greed, democracy and slavery, pride of independence and subserviency to party despotism and to predominant and intolerant public opinion — all this in bewildering confusion.

The newly arrived European democrat, having lived in a world of theories and imaginings without having had any experience of a democracy at work, beholding it for the first time, asks himself: "Is this really a people living in freedom? Is this the realization of my ideal?" He will be puzzled and perplexed until it dawns upon him that in a condition of real freedom man manifests himself, not as he ought to be, but as he is, with all his bad as well as his good qualities, instincts, and impulses: with all his attributes of strength as well as all his weaknesses; that this, therefore, is not an ideal state, but simply a state in which the forces of good have a free field as against the forces of evil, and in which the victories of virtue, enlightenment, and progress are not achieved by some power or agency outside of the people, for their benefit, but *by* the people themselves.

Such victories of the force of good may be slow in being accomplished, but they will be all the more thorough and durable in their effects, because they will be the product of the people's own thought and effort. The people may commit follies or mistakes ever so serious, but having committed those follies or mistakes themselves and upon their own responsibility, they will be apt to profit by their own experience. If those mistakes were rectified by some superior authority, the people would be apt to run into the same mistakes again. If the people are left to correct the mistakes themselves, they will more surely progress in wisdom as well as in the sense of responsibility. Whatever stands upon the bottom of the popular intelligence, stands upon far firmer ground than that which rests merely upon superior authority.

"Here in America," I wrote to my friend, "you can see daily how little a people needs to be governed. There are governments, but no masters; there are governors, but they are only commissioners, agents. What there is here of great institutions of learning, of churches, of great commercial institutions, lines of communication, etc., almost always owes its existence, not to official authority, but to the spontaneous co-operation of private citizens. Here you witness the productiveness of freedom. You see a magnificent church — a voluntary association of private persons has founded it; an orphan asylum built of marble — a wealthy citizen has erected it; a university — some rich men have left a large bequest for educational purposes, which serves as a capital stock, and the university lives then, so to speak, almost on subscriptions; and so on without end. We learn here how superfluous is the action of governments in a multitude of things in which in Europe it is deemed absolutely indispensable, and how the freedom to do something awakens the desire to do it."

Although I am well aware of its inaccuracies of statement, and of the incompleteness of its presentation of American conditions, I recall this letter because it portrays fairly the working of the mind of a young man who had been suddenly transplanted from the Old World — its ways of thinking, its traditional views of life, its struggles, illusions, and ideals — into a new world where he witnessed the working of elementary forces in open daylight, and the realities of free government in undisguised exhibition. I endeavored to get at the essence of truly democratic life, and I still believe that, notwithstanding some errors in the detail of my observations, my general conclusions as to the vital element of democratic institutions were correct.

Some excursions into the interior of Pennsylvania, and to Connecticut, where a distant relative of ours conducted a manufacturing establishment, enlarged the range of my observation. On these occasions I made the acquaintance of a few specimens of the old Pennsylvania Germans, and of the Connecticut Yankees, two distinct elements of the population — both native, for several generations of those Pennsylvania Germans had

lived in this country, but so different in language, in habits of thought, and in social traditions, customs, and notions, that the mere fact of their having lived, worked, and exercised the same political rights together in the Republic was to me a most instructive and encouraging illustration of the elasticity and the harmonizing power of democratic government.

Washington, a Big, Sprawling Village

But far more was my political education furthered by a visit to the city of Washington in the early spring of 1854. The seeming apathy of the public conscience concerning the slavery question was at last broken by the introduction of Senator Douglas' Nebraska Bill, which was to overrule the Missouri Compromise and to open all the National territories to the ingress of the "peculiar institution." While I could not take any interest in the perfunctory Democratic or Whig politics of the day, the slavery question, with all its social, political, and economic bearings, stirred me at once, and deeply. I could not resist the desire to go to Washington and witness the struggle in Congress. A student of medicine from Mississippi, Mr. Vaughn, whose acquaintance I had made in the Philadelphia boarding-house, and whose intelligence and fine character had greatly attracted me, offered me a letter of introduction to a friend of his family, Mr. Jefferson Davis, who was then Secretary of War. I also obtained letters to Senator Broadhead of Pennsylvania, Senator Shields of Illinois, and Mr. Francis Grund, a journalist who furnished the Washington news to various newspapers.

My first impressions of the political capital of the great American Republic were rather dismal. Washington looked at that period like a big, sprawling village, consisting of scattered groups of houses which were overtopped by a few public buildings — the Capitol, only the central part of which was finished, the two great wings in which the Senate and the House of Representatives now sit being still in process of construction; the Treasury, the two wings of which were still lacking; the White House; and the Patent Office, which also harbored the Department of the Interior. The departments of State, of War, and of the Navy were quartered in small, very insignificant looking houses which might have been the dwellings of some well-to-do shopkeepers who did not care for show. There was not one solidly built-up street in the whole city — scarcely a block without gaps of dreary emptiness. The houses were not yet numbered. The way they were designated was by calling them "the first of the five" or the "fifth of the seven" on Pennsylvania Avenue, or on Seventh Street, as the case might be. Pennsylvania Avenue, not far from the Capitol, was crossed by a brook called Goosecreek, alias "the Tiber," which was spanned by a wooden bridge; and I was told — perhaps falsely—that congressmen in a fuddled state, going home in the dark after an animated night-session, would sometimes miss the bridge and fall into the water, to be fished out with difficulty by the sergeants-at-arms and their assistants.

The hotel at which I stopped, the "National," the same in which Henry Clay had died less than two years before, was dingy beyond description, and there were hardly half a dozen residences, if as many, in the whole town, that had the appearance of refined, elegant, and comfortable homes. The streets, ill-paved, if paved at all, were constantly covered with mud or dirt. But very few of the members of Congress "kept house." Most of them took their meals in "messes," having clubbed together for that purpose. Washington was called "the city of magnificent distances." But there was nothing at the ends of those distances and, excepting the few public buildings, very little that was in any way interesting or pleasing. In many of the streets geese, chickens, pigs, and cows had still a scarcely disputed right of way. The city had throughout a slouchy, unenterprising, unprogressive appearance, giving extremely little promise of becoming the beautiful capital it now is.

The first call I made was at the War Department, to present my letter of introduction to the Secretary, Mr. Jefferson Davis. Being respectful, even reverential, by natural disposition, I had in my imagination formed a high idea of what a grand personage the War Minister of this great Republic must be. I was not disappointed. He received me graciously. His slender, tall, and erect figure, his spare face, keen eyes, and fine forehead, not broad, but high and well-shaped, presented the well-known strong American type. There was in his bearing a dignity which seemed entirely natural and unaffected —

that kind of dignity which does not invite familiar approach, but will not render one uneasy by lofty assumption. His courtesy was without any condescending air. Our conversation confined itself to the conventional commonplace. A timid attempt on my part to elicit from him an opinion on the phase of the slavery question brought about by the introduction of the Nebraska Bill did not meet with the desired response. He simply hoped that everything would turn out for the best. Then he deftly resumed his polite inquiries about my experiences in America and my plans for the future, and expressed his good wishes. His conversation ran in easy, and, so far as I could judge, well-chosen and sometimes even elegant phrase, and the timbre of his voice had something peculiarly agreeable. A few years later I heard him deliver a speech in the Senate, and again I was struck by the dignity of his bearing, the grace of his diction, and the rare charm of his voice — things which greatly distinguished him from many of his colleagues.

In Senator Shields of Illinois I found a very different character — a jovial Irishman who had won his high position in politics mainly through the reputation achieved by him as a volunteer officer in the Mexican War. He lived in a modest boarding-house near the Capitol, and the only ornament of his room, in which he received me, consisted of a brace of pistols attached crosswise to the bare, whitewashed wall. He welcomed me with effusive cordiality as a sort of fellow revolutionist from Europe — he himself, as an enthusiastic Irish Nationalist, being in a state of perpetual belligerency against England, which, however, did not interfere with his sincerity, zeal, and self-sacrificing spirit as an American patriot.

In the Senate he was naturally overshadowed by his colleague from Illinois, Senator Douglas. He would have been so had he been a much abler man than he was. He seemed to be fully conscious of this, for when I tried to obtain information from him about the great question then pending, he could only repeat some things Douglas had said, and predict that Douglas, the great leader, would have the people behind him. He altogether preferred to talk with me about my adventures in Germany and about the prospects of the revolutionary movements in Europe.

Statesmen and "Pickings"

The third letter of introduction I had was addressed to Senator Broadhead of Pennsylvania. I may have formed a wrong estimate of this statesman, but I had to confess to myself that I found him exceedingly dull. He sought to entertain me with a labored discourse on the greatness of this country, the magnificent resources of the State of Pennsylvania, the excellent character of the Pennsylvania Germans, the intelligence of the new immigrants who had been brought to this country by the revolutionary troubles in Europe, and the virtues of the Democratic party to which he, and, he was glad to know, all the adopted citizens belonged.

When I asked him for his opinion as to the right and wrong involved in the slavery question in general and the repeal of the Missouri Compromise in particular, he answered, with the impressive solemnity of one who knows a great deal more than he feels himself at liberty to divulge, that the slavery question was a very important one, very important indeed; so difficult and complicated that one must take great care not to be carried away by mere sentiments in forming one's judgment about it; and that the Abolitionists were very reckless and dangerous men. He did not satisfy me, and I continued my inquiries; whereupon he assured me that every good citizen must follow his party and that, as to the Nebraska Bill, he, as a good Democrat and as an Administration man, would faithfully follow his party's lead. And then he wound up with this sentence: — "On the whole, I do not take so much interest in measures and policies as in the management of men."

The next day I met Mr. Francis Grund, the "veteran journalist," whose acquaintance I had made in the meantime. I asked him what Senator Broadhead might have meant when he said that he did not take so much interest in measures and policies as in the management of men. "Bless your innocent soul!" exclaimed Mr. Grund with a hearty laugh, "he meant that he does not care whether his party leads him this way or that way, but that his main business is to get post-offices and government clerkships and consulates and Indian agencies for the party hacks and his personal hangers-on. And he must keep on good terms with the Administration to get those things."

NEW YORK CITY FROM THE STEEPLE OF ST. PAUL'S CHURCH, 1854

From the contemporary engraving by Henry Papprill

I was astonished. "And there are statesmen in positions as high as that of a United States senator who consider that their principal business?" I asked. "Yes," said Mr. Grund, "lots of them." And he counted off by name a large number of senators and a much larger number of representatives, of whom he said that the distribution of the patronage, the public plunder, was their principal, if not their only occupation in which they took any real interest.

What was it that made so many people so hungry for office? "Partly the distinction and influence which official position confers," said Mr. Grund, "and partly the pecuniary emoluments." I inquired about the salaries attached to various offices and found them rather low. "Well," said my mentor, "but there are the pickings."

"Pickings? What is that?"

"The money an office-holder can make through the use of his opportunities — sometimes honestly, sometimes otherwise."

"And that is permitted?"

"Not exactly officially permitted," said Mr. Grund, "but it is treated with generous leniency. When an office-holder is caught in bad practices, the congressman who has recommended him for office usually tries to protect him to the best of his ability. In common talk, the value of an office is according to the salary and the pickings. You hear that matter discussed among politicians with great frankness. Only, when it comes to a notorious scandal, the public talk becomes quite virtuous."

Remembering the renown of Prussian officialdom for the severest kind of honor, I was much startled.

"And how," I asked, "is the public business done by such office-holders?" "Oh," was the reply, "it might be done much better and much more economically, but we are jogging along. This great country can stand a good deal of hard usage."

JAMES AND LUCRETIA MOTT

From a daguerreotype

"Are there many corrupt men in Congress?"

"No," said Mr. Grund, "there are few, very few men there who could be bought with money. But there are more, perhaps many, who would tolerate corrupt men around them and protect corrupt hangers-on."

Later inquiries and a longer acquaintance with public men and things convinced me that the pictures Mr. Grund had drawn for my instruction were substantially correct. The spoils system was in full flower but had not yet brought forth its worst fruit as we now know it. In some respects, the state of public sentiment created by it was indeed worse than that which we now witness. The cool indifference, for instance, with which the matter of "pickings," was spoken of among politicians, even of the better sort, would now not be tolerated for a moment. The public mind has become much more sensitive to the character of such abuses. Neither was there any active opposition to the spoils system in general. A few of the older members of the Senate and of the House of Representatives would indeed occasionally express their disgust, and their misgivings as to the dangerous influences exercised by it; but, notwithstanding the criticism now and then

called forth by the more scandalous excrescences of the system, it was on the whole accepted as a permanent thing which in this country could not be otherwise, and attempts to change which would be utterly vain. But it had at that period not yet evolved the "boss" and the "machine," those perfect agencies of party despotism, as we now know them — although a sinister beginning in that direction was already made in the State of New York, where unscrupulous leadership found the most and the fittest material for a mercenary following, and where selfish personal politics had the most promising field of operation.

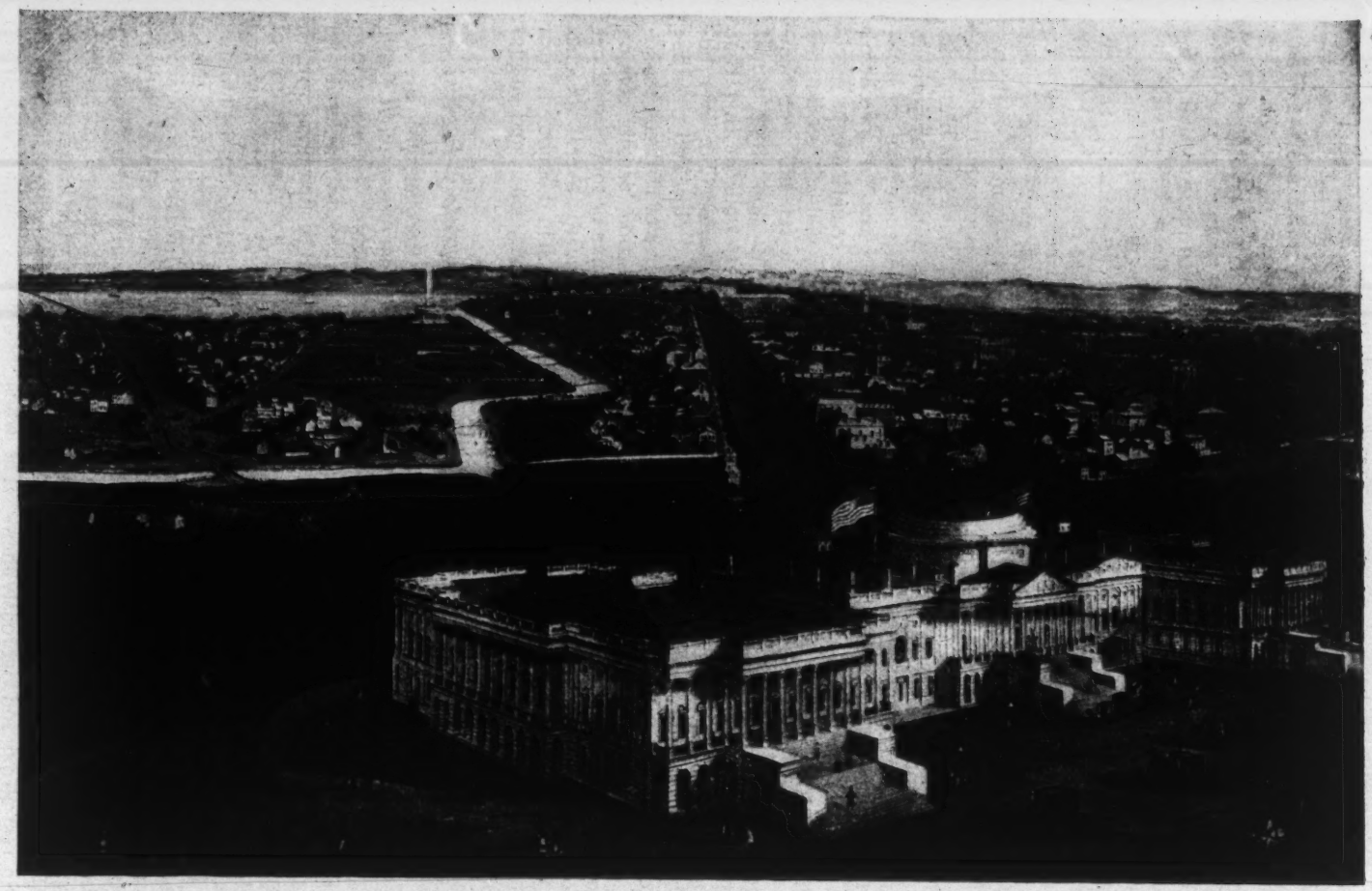
Congress, Dress Coats and Tobacco

As to the slavery question, which interested me more than all else, Mr. Grund's moral nature did not seem to be so much wrought up as mine was. He had hoped that the Compromise of 1850 would keep that question in the background for a long period. But the introduction of the Nebraska Bill had disturbed him very seriously, and he now feared that a decisive crisis would ensue. I diligently visited the galleries of the Senate and of the House to listen to the debates. I cannot say that the appearance of either body struck me as very imposing. I had attended as a spectator a sitting of the German Parliament of 1848 at Frankfort, several sessions of the French National Assembly in Paris in 1851, and one of the British House of Commons in 1852. Of these parliamentary bodies the Frankfort Parliament seemed to me the most dignified and orderly, the French Assembly the most turbulent, the House of Commons the most businesslike, and the American Congress I saw in 1854 — and in succeeding years — the most representative. It was representative of its constituents in average ability, character, culture, and manners. There was an air of genuine naturalness about the looks, the bearing, and the conduct of the members as well as of the proceedings — no artificially put-on dignity; commotion enough, but little affected furor, except with some Southerners, the business being done without much restraint of logic or method. The congressman with bushy chin-whiskers, wearing a black dress coat and a satin vest all day and vigorously chewing his tobacco, as in these days we sometimes see him as a comic figure on the stage, was then still a well-known type on the floor of the Senate and the House. There was much tobacco chewing with its accompaniments, and much lounging with tilting of chairs and elevation of feet on desks — much more than there is now in the same places; but then it seemed more natural and less offensive than it does now. There were also more evidences of a liberal consumption of intoxicants. I do not mean to say that there were not men of refined presence and bearing among the congressmen. There were, indeed, not a few; but the majority struck me as rather easy-going and careless of appearances.

Listening to running debates and to set speeches, I was astonished at the facility of expression which almost everybody seemed to command. The language may not always have been elegant or even grammatically correct; it may sometimes have been blunt and rough; but it ordinarily flowed on without any painful effort, and there was no hemming and hawing. Of the set speeches I heard, not a few were remarkable as specimens of "beautiful speaking," so inflated with extravagant conceits and big, high-sounding words, that now they would only provoke laughter, while at that time they were taken quite seriously or even admired as fine oratory. Now and then one would hear in the course of a speech an old-fashioned Latin quotation, usually coming from some Southern man or some New Englander. But I also heard several speeches which were not only rich in thought but in an eminent degree vigorous, sober, and elegant in language.

Douglas, Parliamentary Pugilist

My most distinct recollections are of the Senate. The most conspicuous figure in that body was Douglas. He was a man of low stature, but broad-shouldered and big-chested. His head, sitting upon a stout, strong neck, was the very incarnation of forceful combativeness: a square jaw and broad chin; a rather large, firm-set mouth; the nose straight and somewhat thick; quick, piercing eyes with a deep, dark, scowling, menacing horizontal wrinkle between them; a broad forehead; and an abundance of dark hair which at that period he wore rather long and which, when in excitement, he shook and tossed defiantly like a lion's mane. The whole figure was compact and strongly muscular, as if made for constant fight. He was not inaptly called "the little giant" by his partisans.



VIEW OF WASHINGTON IN 1852

From the contemporary lithograph by E. Sachse showing the Capitol before the present dome was built

His manner of speech accorded exactly with his appearance. His sentences were clear-cut, direct, positive. They went straight to the mark like bullets, and sometimes like cannon-balls, tearing and crushing. There was nothing ornate, nothing imaginative in his language, no attempt at "beautiful speaking." But it would be difficult to surpass his clearness and force of statement when his position was right; or his skill in twisting logic or in darkening the subject with extraneous, unessential matter when he was wrong; or his defiant tenacity when he was driven to defend himself, or his keen and crafty alertness to turn the defense into attack, so that even when overwhelmed with adverse argument he would issue from the fray with the air of the conqueror.

He was utterly unsparing of the feelings of his opponents. He would nag and nettle them with words of challenge and insult them with such names as "dastards" and "traitors." Nothing could equal the contemptuous scorn, the insolent curl of his lip with which, in the debates to which I listened, he denounced the anti-slavery men in Congress as "the Abolition confederates," and at a subsequent time, after the formation of the Republican party, as "Black Republicans." But worse than that: he would with utter unscrupulousness malign his opponents' motives, distort their sayings, and attribute to them all sorts of iniquitous deeds or purposes of which he must have known them to be guiltless. Indeed, Douglas' style of attack was sometimes so exasperatingly offensive that it required on the part of the anti-slavery men in the Senate a very high degree of self-control to abstain from retaliating. But so far as I can remember, only Mr. Sumner yielded to the temptation to repay him in kind.

While for these reasons I should be very far from calling Douglas an ideal debater, it is certain that I have never seen a more formidable parliamentary pugilist. To call him so must not be thought unbecoming, since there was something in his manners which very strongly smacked of the bar-room. He was the idol of the rough element of his party, and his convivial association with that element left its unmistakable imprint upon his habits and his deportment. He would sometimes offend the dignity of the Senate by astonishing conduct. Once, at a night session of the Senate I saw him, after a boisterous speech, throw himself upon the lap of a brother senator and sit there, talking and laughing, for ten or fifteen minutes, with his arm around the neck of his friend who seemed to be painfully embarrassed, but could or would not shake him off. It might be said in extenuation, however, that then the general tone of the Senate was not so sober and decorous as it is now. After he had married his second wife, a lady of beauty and culture, who not only presided over his household but also accompanied him on his electioneering journeys, he became more tidy and trim in his appearance and more careful in his habits, although even then there were rumors of occasional excesses. The bullying notes in his speeches remained the same until after the election of 1860.

The Anti-Slavery Senators

There could have been no more striking contrast than that between Douglas and the anti-slavery men in the Senate as I saw them and listened to them from the gallery. There was to me something mysterious in the small, wiry figure, the thin, sallow face, the overhanging eyebrows, and the muffled voice of Seward. I had read some of his speeches and admired especially those he had delivered on the Compromise of 1850. The broad sweep of philosophical reasoning and the boldness of statement and prediction I found in them, as well as the fine flow of their language, had greatly captivated my imagination. I had pictured him to myself, as one is apt to picture one's heroes, as an imposing personage of overawing mien and commanding presence. I was much disappointed when I first saw that quiet little man who, as he moved about on the floor of the Senate chamber, seemed to be on as friendly terms with the Southern senators as with the Northern — his speeches were always personally polite to everybody — and whose elocution was of dull sound, hardly distinct, and never had a resonant note of personal attack or defiance in it. But he made upon me, as well as upon many others, the impression of a man who commanded hidden, occult powers which he could bring into play if he would. Indeed, I heard him spoken of as a sort of political sorcerer who knew all secrets and who commanded political forces unknown to all the world except himself and his bosom friend, Thurlow Weed, the most astute, skilful, and indefatigable political manager that had ever lived. It is quite probable that the flavor of weirdness in his personal appearance and voice and

the oracular tone of many of his utterances did much to strengthen that impression. I have to confess that he exercised a strong fascination over me until I came into personal contact with him.

Salmon P. Chase, the anti-slavery senator from Ohio, was one of the stateliest figures in the Senate. Tall, broad-shouldered, and proudly erect, his features strong and regular and his forehead broad, high, and clear, he was a picture of intelligence, strength, courage, and dignity. He looked as you would wish a statesman to look. His speech did not borrow any charm from rhetorical decoration and was clear and strong in argument, vigorous and determined in tone, and of that frank ingenuousness which commands respect and inspires confidence. He had drawn up an address to the country setting forth the true significance of the Nebraska Bill, which went forth signed by a few anti-slavery men in Congress, and, without being so intended, proved to be the first bugle call for the formation of a new party.

Douglas, who seemed instinctively to feel its importance, emptied all the vials of his wrath upon the author of the manifesto, and it was to me a most inspiring experience to see the majestic figure of Chase standing with serene tranquillity under the hail of the "little giant's" furious vituperation.

I missed at that time hearing Charles Sumner speak, except once when he made a very few remarks in a calm tone to correct some misapprehension. The impression he made was that of a gentleman of refinement and self-respect, reminding me of some Englishmen of distinction I had seen. He was tall and well built, his handsome but strong face shadowed by a wealth of dark locks. He was justly called "good-looking." His smile had a peculiar charm. He was talked of as a man of great learning and culture, and of that kind of courage that is unconscious of difficulty or danger, and which was already said to have made the Southern pro-slavery senators stare in angry wonder.

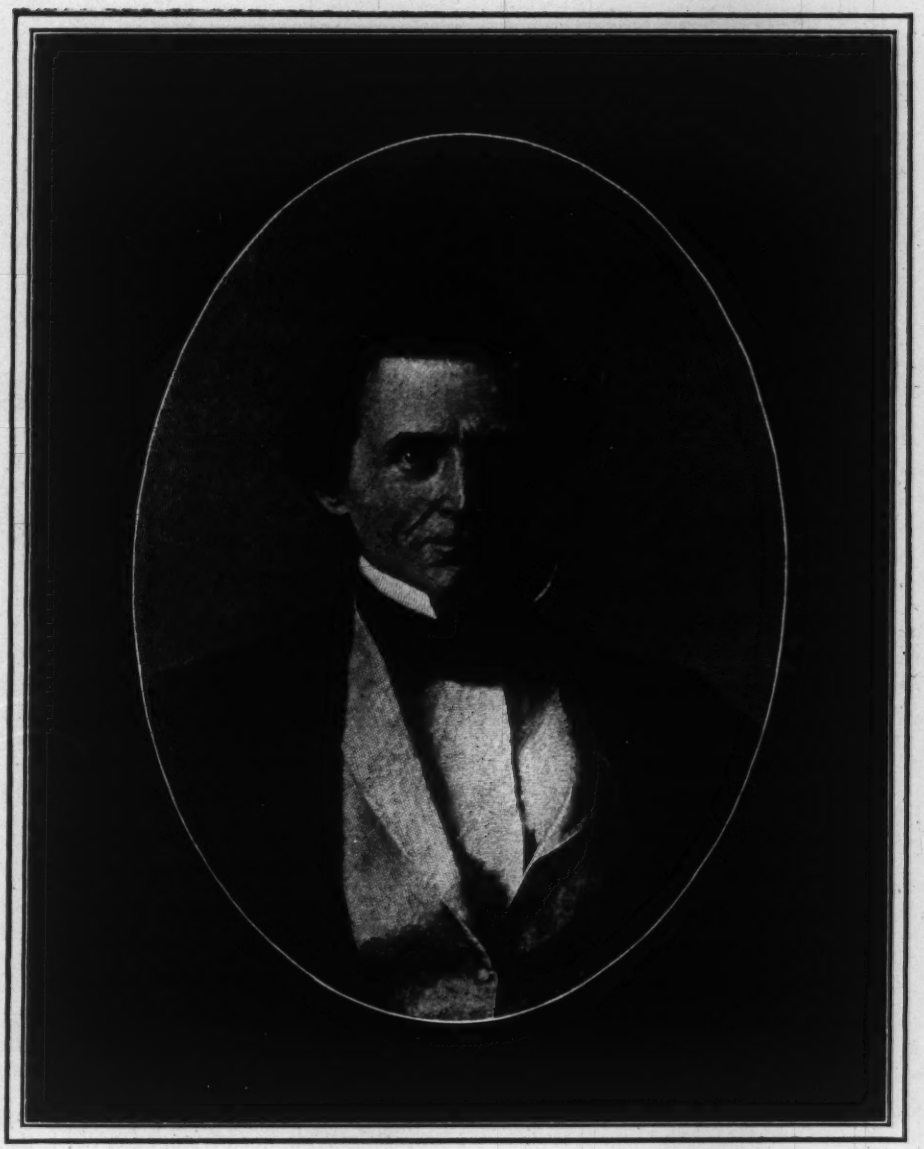
I was introduced to these anti-slavery champions by Senator Shields in the lobby of the Senate, but these introductions led to nothing but the usual commonplace remarks and the customary shake of the hand. Only Sumner, who seemed interested in my European experiences, expressed a hope that he would see me again.

A Troupe of Pro-Slavery Leaders

Of the Southern senators I observed from the gallery, I especially remember three who struck me as types. One was Senator Butler from South Carolina. His rubicund face framed in long silver-white hair, the merry twinkle of his eye, and his mobile mouth marked him as a man of bubbling good-nature and a jovial companion. He was said to have had a liberal education and to be fond of quoting Horace. On the floor he frequently seemed to be engaged in gay and waggish conversation with his neighbors. But when slavery was attacked, he was apt to flare up fiercely, to assume the haughty air of the representative of a higher class, and in fluent and high-sounding phrase to make the Northern man feel the superiority of the Cavalier over the Roundhead. This was what subsequently brought on his altercation with Sumner which had such deplorable consequences.

Of the more agressive — I might say belligerent — type was Senator Toombs of Georgia — a large, strong-featured head upon a massive figure, his face constantly alive with high spirits, as capable of a hearty, genial laugh as of the look of anger or menace; his speech rather boisterous, always fluent and resonant with vigorous utterances. Nobody could be more certain of the sanctity of slave property and of the higher civilization of the South. He would bring the North to its knees; he would drive the anti-slavery men out of public life; the righteous victory of the South was to him sure, and it would be so overwhelming that he would live to call the roll of his slaves in the shadow of the Bunker Hill Monument. He was, it seemed to me, the very picture, not of the Southern aristocrat, but of the overbearing and defiant Southern middle-class allied with the rich slave-holding aristocracy. With all this there was, to me, something sympathetic in the man, as if I would have liked to know him personally.

Still another type was represented to me by Senator Mason of Virginia, a thick-set, heavily-built man with a decided expression of dulness in his face. What he had to say appeared to me to come from a sluggish intellect spurred into activity by an overweening self-conceit. He, too, would constantly assert in manner, even more than in language, the superiority of the Southern slave-holder.

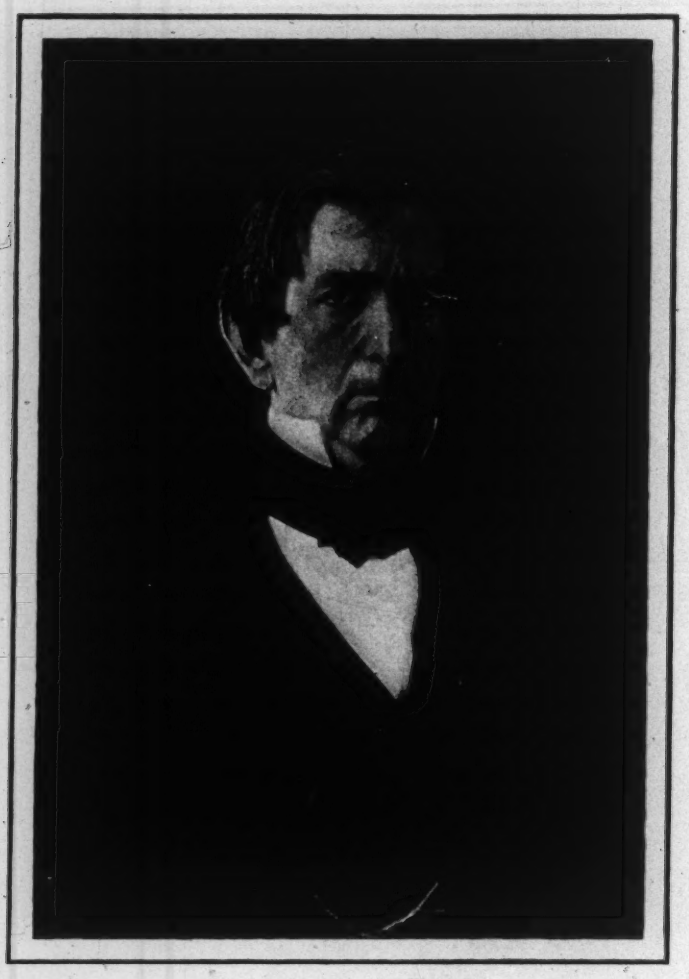


JEFFERSON DAVIS

From a daguerreotype made about 1853 and here published for the first time through the courtesy of Mrs. Jefferson Davis

over the Northern people. But it was not the prancing pride of Senator Butler nor the cheery buoyancy of the fighting spirit of Toombs that animated him. It appeared rather to be the surly pretension of a naturally stupid person to be something better than other people, and the insistence that they must bow to his assumed aristocracy and all its claims. When I heard Senator Mason speak, I felt that if I were a member of the Senate, his supercilious attitude and his pompous utterances of dull commonplaces, sometimes very offensive by their overbearing tone, would have been particularly exasperating to me.

After the Senate, on the morning of the 4th of March, 1854, had passed the Kansas-Nebraska Bill, I returned from Washington to Philadelphia. I took with me some profound impressions. I had seen the slave power officially represented by some of its foremost champions — defiant, dictatorial, vehemently demanding a chance for unlimited expansion, and, to secure its own



WILLIAM H. SEWARD

From a daguerreotype made in 1851 and here published for the first time through the courtesy of Frederick W. Seward

existence, threatening the most vital principles of free institutions, the right of free inquiry and of free utterance — aye, threatening the Union, the National Republic itself. I had seen in alliance with the slave power, not only far-reaching material interests and a sincere but easily intimidated conservatism, but a selfish and despotic party spirit and a reckless and unscrupulous demagoguery making a tremendous effort to confuse and to subjugate the moral sense of the North. I had seen standing against this tremendous array of forces a small band of anti-slavery men fighting the battle of freedom and civilization. I saw the decisive contest rapidly approaching, and I felt an irresistible impulse to prepare myself for usefulness, however modest, in the impending crisis; and to that end I pursued with increased assiduity my studies of the political history and the social conditions of the Republic, and of the theory and practical workings of its institutions. To the same end I thought it necessary to see more of the country and to get a larger experience of the character of the people. Especially did I long to breathe the fresh air of that part of the Union which I imagined to be the real America, the "great West," where new states were growing up, and where I would have an opportunity for observing the formative process of new political communities working themselves out in the raw. I had some relatives and some German friends living in Illinois, Wisconsin, and Missouri, and I went to visit them in the autumn of 1854.

TO BE CONTINUED

THE MAKIN'S OF A HAYRO

BY

G. W. OGDEN

ILLUSTRATED FROM DRAWINGS BY JAY HAMBIDGE

JACK RYAN, foreman of section three, was giving his gang one of his periodical lectures, pacing up and down the center of the track with his hands clasped on the small of his back, while the jerries tamped at the cinder filling with their bars, tamped softly, carefully, as if they were afraid they might crush a clinker or knock a splinter off a tie. Jack's reason for the lecture was twofold. He held, in the first place, that the section-man was an underrated person, that the obloquy of the trainmen and the dull indifference of the public were not warranted, and it afforded him great relief of mind to express himself fully and clearly on that point once in a while. In the second place, Jack believed it made the men steadier and more contented with their heavy portions, this holding up to them that *they* were the responsible factors in the operation of a railroad, notwithstanding trainmen, roadmaster, and resident engineer. As for trainmen, what did they come to in the end, anyway? Flagging a crossing or walking track, they were glad, sure thing, to get a job on the section when their brief day of glory was past.

"What is a hoghead, that he must pride it an' take the rise of you an' me?" said he, pausing in his walk and sweeping a questioning gaze around. "What is he? Nawthin' but a man that's been puffed up an' blowed up an' made big by the paypers, nawthin' but a felly that had his *big*innin' scrapin' cinders out of th' firebox of some owld dirthy ingin. Don't I know? Wasn't I a wiper mesilf whin I was a kid, comin' up to it from pit-man, whin I wheeled away th' ashes from th' clanin' of tin ingins? 'Oh,' says th' paypers, 'th' brave *ingin*eer stuck to his post an' was kilt savin' th' lives of th' passengers'; but you know an' I know that he was smashed jumpin' off. When two ingins comes togither, where do you find th' brave ingineers whin th' dust settles? What? Nine times in tin, somewhere down th' track settin' on a soft spot on th' dump. That's why us fellys has t' keep th' right-o'-way mowed, so th' brave ingineers can pick out soft places to light on, so they can dodge th' rocks. I'm goin' t' git up a petition t' th' comp'ny t' pad th' right-o'-way with feather-beds.

"What does th' man that writes it up in th' payper know about railroadin'? No more than a ingineer. An' what does a ingineer know about keepin' up track? No more nor my owld woman, nor as much. What does one of thim hogheads know about th' elevation to give a five degree curve, 'r th' len'th of th' easement, 'r th' settin' of a frog? Sure, one of thim fellys couldn't no more put in a switch than he could navigate a ship from New York t' Dublin. Nor could a conductor nor a brakesman, ayther, less they'd served good time on th' section, like th' best o' thim has.

"Let y' have a wreck, an' what — Burns, don't y' know no more nor t' tamp a tie clane out t' th' ind? Ye'll snap thim off like matches doin' that, mon, whin th' weight of thim new ingins hits 'em — let y' have a wreck, an' what do they say? Sure, th' cariner's jury does wan of two things if annybody's kilt, blames it onto Providence 'r th' track. Seldom they say th' hoghead was aslape an' roond past his orders, but we are th' fellys that knows that's th' only time a hoghead ever gits smashed with his ingin, — whin he's aslape.

"Of course, me brave cariner's jury, it's th' fault o' th' track, an' th' section boss is th' lad th' blame rests on. Say it *was* th' track, say a rail give way on a curve an' spread out o' gage — but I've made it a p'int t' try th' gage on th' track after ivery wreck on my section, an' th' track howlds, min, six times in sivin — say it *did* spread an' let 'er off, who's to blame f'r rotten ties? Ain't it a

"GIVING HIS GANG ONE OF HIS PERIODICAL LECTURES, PACING UP AND DOWN THE CENTER OF THE TRACK"

standin' order, tacked up in th' tool-house where all o' y' can read it if y' wants to, that no foreman's t' put more nor two new ties t' th' rail in gineral repairs without special orders from th' rizident ingineer? Two new ties, mind y', out o' fifteen t' th' rail. Me conscience won't lave me kape that order, they's too many lives in th' pa'm o' me hand day in an' day out f'r that. I look t' be fired on account of it yit, but what's two good ties agin thirteen y' can pull th' spikes out of with y'r fingers?

"Some of th' foremin sticks t' th' rule f'r straight track, th' grane wans, 'specially. But they ain't wan o' thim that kapes it on curves. No mon, not even Burns there, who don't know no more about railroadin' than my little b'y Johnnie, now look at 'im, look at 'im, will y'? not wan o' thim would be such a fool as to lave th' curves go. They kapes th' curves solid, grane wans an' all. Why, thin, do they go off on th' curves?"

When Jack had a point to clinch, he singled out some one of the gang to act in the capacity of clincher, of wedge held against the point of his spike. It was an honor, and duly appreciated as such by all the old-timers. This time he picked Doohan.

"Why," he repeated, "*do* they go off on th' curves? Because, th' min that makes thim new ingins don't know nawthin'. They builds 'em with their tenders top-heavy, I tell y', an' whin they strike a curve they climbs th' rail. They climbs, I tell y', Doohan."

Doohan fiddled away at a wee rock that had become mixed with the cinders, trying, with delicate punches, to force it under the tie with the upper end of his bar. The etiquette of the situation demanded that he stand at attention while the boss was addressing him, and that he voice the sentiments of the gang, which he represented, in an unqualified and hearty expression of approval or concurrence. Jack was nettled by his inattention and repeated severely: "They climbs, I tell y', Doohan, they climbs th' rail."

"Sure," said Doohan, his eyes intent on his aim, "sure t'ing."

Jack stepped a little nearer, with a disapproving scowl. "Sure," he repeated derisively, "sure they do, don't I tell — what th' divil 'r y' doin', Doohan, playin' pool? Don't be choogin' away there like an owld woman stoofin' sausages, but tamp it ha-ard, mon, innunther th' ball o' the rail! Sure, y' wouldn't crack an egg with your ladylike pokin' an' peckin', mon."

Jack was thrown off the channel by Doohan's discourtesy, and took a longer turn than usual down the track. The men thought the lecture at an end, and chided Doohan, who drew his shoulders up in a scornful hunch, flung his bar down, and went to the water-keg. Jack doubled back and took up the thread of his discourse.

"Hoghead, they're well named. Some of thim 'r good min, but most of thim is overbearin' fellys that niver read a buk o' history in all their days. I mind wan in th' ya-ard at Kansas City whin I was foreman there. He was on th' night gang, roonin' an owld taypot that sounded like a whale blowin', whin she moved a wheel. That felly thought he was a king among min, an' because I used t' give 'im th' laugh, he set out to have me fired. Night after night he had me out o' bed t' git his owld ingin back on th' rails, him a-roonin' 'er off an open switch, bein' in cahoots with a Dutch switchman that I give a poke in th' jugglin' vein o' th' nick wanct, an' thin reportin' me th' next day for bad track. Little good it done 'im, Dave Hoolihan was th' roadmasther, but he kep' it up f'r a mont', an' thin I got tired. They rises me out o' bed wan rainy night on th' same owld story, 'Bailey's ingin's off,' an' I goes t' th' ya-ard.

"'Hoghead,' says I, goin' up t' him, 'y' loomp o' grase, y're well called,' an' I brings 'im a wallop in th' jaw with a number two."*

"Now!" fervently ejaculated Burns in a sort of amen of approbation, "sure y' did, mon, wasn't I there?"

Jack eyed him with a sidling glance, half-humorously, half-threateningly, but otherwise ignored the break. "And," he continued evenly, "I didn't have a ingin off for three mont's after that. Hoghead, indade. Th' mon that invinted that name knew th' manin' of a worrud.

"Take a pencil an' figger a bit, an' y'll find who is th' big mon, th' raysponsible mon, in th' roonin' of a railroad. Who is he, th' hoghead? No, not him, not th' hayro of an ingineer. Anny wan o' y' could do th' worruk of an ingineer, shut off an' turn on, stop an' start, as aisy as y' can put th' brake on th' hankyar. If I thought I had e'er-a-wan o' y' that couldn't, I'd fire 'im. No,

*A section-man always speaks of a shovel as a "number two," that being the size of the tool in general use on railroads.

th' hoghead is not th' big mon. He takes his ingin at T'peka, an' pulls th' train t' Kansas City, an' he's two hours doin' it. Two hours wanct or twict a day th' hoghead is raysponsible, along with th' conductor, for th' safety of th' train, f'r kapin' awake an' not roonin' past flags an' orders, puttin' 'is head out o' th' windy t' scorn at th' likes o' you an' me, that makes th' road safe f'r him to pass. Two hours out o' twinty-four he's raysponsible f'r th' people he pulls, an' the rest o' th' time he spinds a-lookin' in th' glass t' git used t' bein' so clost t' a great mon, like th' paypers says he is.

"Now, let y' take a look at you an' me. What air we? Jerries, tarriers, hoboes, bums. We ain't nobody t' consider at all on th' face o' th' livin' worruld. But you an' me air th' lads that howlds life an' deat' in th' closin' of an eye, in the slippin' of a cog-wheel in the head. Tin passenger trains a day we have, lads, an' say aich o' thim carries a hunnerd sowls. That 's a thousand human lives we have th' raysponsibility of, not two hours in th' day, but ivery hour of th' twinty-four we have th' weight of thim on us. They don't all go by at wanct, an' have done with it, but they come an' go in the dark an' th' light, day in, an' wake in, an' year in. It 's a line o' life marchin' across you an' me, lads, an' if owld Jack Ryan goes to slape, if owld Jack Ryan overlooks th' gage o' th' p'int of a frog, if he goes off his nut an' raises th' wrong side of a curve, if he goes about 'im not spyin' an' pryin' an' lookin' at th' j'ints, an' misses a broken rail 'r splice, what happens? Hey? No, owld Jack Ryan don't do thim things. He is th' mon that worries an' thinks, an' wakes up in th' night list'nin' f'r Number Six t' hit th' frog forninst th' toolhouse, rakin' an' pokin' an' stirrin' his brains, askin' himself, 'Did y' forgit annything, lad? 'R y' sure th' whole o' th' sivin miles o' y'r section is without a loose bolt, 'r a rail an inch out o' th' gage?'

"An' th' passengers aslape in their boonks wakes up whin they hears her crackin' her heels over th' frog there on that six degree curve — a divil of a place t' put a switch, Mr. Tweed, a h —— of a place for a pile-up whin some stiff journal binds a wheel an' catches th' p'int one of these days — an' they thinks maybe she's off, but they hear th' ingineer blow f'r th' crassin' down below, an' they have a sigh of relafe. 'It's all right,' says they. 'Th' brave ingineer will take care of us,' just like he was th' Almighty, an' could howld her on if owld Jack Ryan an' his min forgot to do some little thing, sometimes as little as th' drivin' of a spoike. Do they say, thim passengers, 'Thank God f'r th' brave section boss an' his min, that binds an' builds an' hammers an' howlds this line in saf-etty innunther th' wheels?' No, they don't. They don't know nawthin' about us, lads. Th' paypers ain't niver put us in, an' they ain't no buks, with red lids t' thim, an' gowld hankyars printed on th' front, tellin' about th' deeds o' you an' me.

"Hayros nawthin'. A mon ain't no hayro because he hoomps up in th' cab of an ingin an' roons it sivinty-five miles, two hunnerd miles a day. I had a sthraw boss wanct on th' *Pas*-a-fic, named Mooney, Tom Mooney, that had th' stuff in 'im like Napoleon. We wor unloadin' steel whin he got th' weight of an eighty-pound rail acrass th' body of him, crooshin' him like a glass chube. I saw he was a dead mon, an' I says t' him, him bein' a marrud mon, 'Tom, what worrud have y' t' sind t' Maggie?' says I. He was lyin' on th' back of him, gaspin' like a mon that had roond a hunnerd miles, an' he stiddies himself an' looks me in th' eye, as bowld as if he was goin' with the sins lifted off th' sowl of him, an' he says, 'Jack,' says he, 'Jack, me b'y, give me regaards t' th' roadmaster,' he says, an' closed his eyes an' died.

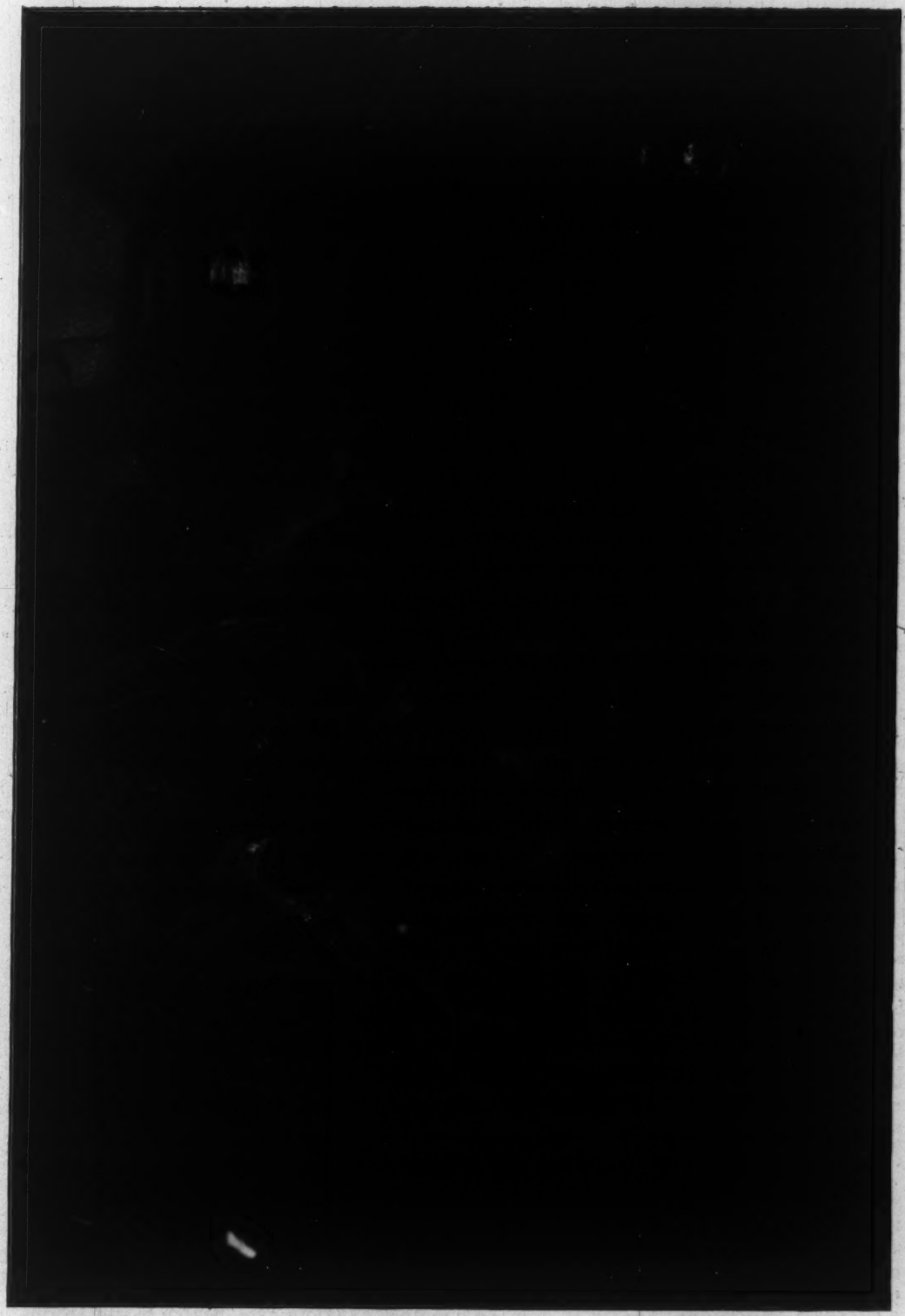
"That's a hayro f'r y', lads, juty t' th' ind of it, juty before love, an' friends, an' wife, an' home, *an'* kids. *That's* th' makin's of a hayro, th' likes of poor Tom Mooney, an' him not livin' t' inj'y th' glory of it."

Jack walked away from the gang a few paces, and fell silent, as if his mind had gone out from its dwelling-place to follow the memory of Tom Mooney. He stood looking into the west, where the sky came down to meet the haze above the rails.

"Let ye's take y'r shovels, lads," said he kindly, "an' dress up th' shoulther. It'll be freezin' before th' marnin'."

II

True to Jack's prediction, the winter broke over the land that night with a roar. The ties were cemented in their ballast beds by its coming, making track-raising out of the question until spring. With the blizzard came instructions to Jack to reduce the gang



"BILL REELED ASIDE AND THE CYLINDER HEAD CAUGHT HIM AS SHE PASSED"

to three men, two for day service and one night track-walker, "and give the married men preference." wrote Claridy, the road-master, at the end of the note.

And so it fell that Bill Davies, being a married man and the oldest "in point of service," became night track-walker on section three. Bill was a Welshman in blood, an Englishman by birth, and the sea had taken the best years out of his allotment. His last cruise had been out of 'Frisco on a whaler, with the lay of an able seaman, and it marked three of the hardest, emptiest years of his life. It ended with a few barrels of oil, and Bill went ashore with the glad promises the sea had held out to him in youth withdrawn. Then he took to railroading, working gradually away from the sound of the breakers, which always seemed to chide him and call him back, at length finding a harbor with Jack Ryan, where never a hint of the sea reached him, and the memories of its hardships and ingratitude became as pictures in a dream.

It was a little place, where the squat depot, the section foreman's dwelling, and the tool-house, all painted in a dull, sulking, heavy red, the company's red, were indicated on the railroad's map by a dot and identified by a name. There Bill took possession of an acre and a half of land that nobody appeared to own, and built a small shelter out of scrap lumber that came under his hand from the leavings of buildings, platforms, fences, and the wrecks of cars. In time the sprightliness of a sea-going man went out of him, and Bill became an ordinary section laborer, with the stamp of one who had always been serving, one who would always serve. When he walked about on a Sunday, he clasped his hands behind his back and leaned forward like an old man, or one who has dragged a heavy load so long that the straining posture has grown upon him. He wedged quite naturally into the place fate had reserved for him, and married Pat Dunnigen's girl, Mary Ann.

The winter that Bill became a track-walker was the year of the big snow. To-day it requires no other date in the valley where Jack Ryan herded his gang of terriers on section three, because it remains an unparalleled event. The lanes were filled, fields were buried until shocks of corn on level ground showed only their tips above, and the courses of streams were not marked by their banks, but by the clean, white avenues that wound and curved between the fringing trees. For weeks it smothered the earth, thawing a bit by day and freezing by night, until men walked over it, then drove teams over it; and they will tell you about it to-day, with some lingering awe over the unusual doings of nature, some pride in the recollections of their own intrepidity.

Not that it added anything to the burden of Bill, the track-walker. On the other hand, it rather made things easier, covering the ballast and improving the footing, besides adding a certain security to the track. Splices and rails do not break when snow is packed around them. It is the snipping, spiteful, dry cold, the cold of a clear winter night, such as brings out spangles and stars and forests on the surface of smooth ice, such as crinkles one's hair like a flame, that snaps steel. That's when you must drive the rails down for twenty, thirty lengths, to gain two inches and close up the gap where the splice has pulled apart under the heavy strain of contraction.

It was a fourteen-mile tramp every night, setting out from the tool-house at seven o'clock and making it back to the section-house at six the next morning. It was a harder watch than any Bill had ever stood at sea, and longer, and lonelier. From the time he passed the depot early in the night, with his red lantern in one hand, his white in the other, and the wrench, bolts, spikes, and short-handled spike maul in the bag across his shoulders, until he made the return trip in the morning, he met no living creature of his kind.

There was not much company in the silent farmhouses, glooming through the thick night out in the frost-bound fields, and there was small comfort in the thought that there were human beings aboard the trains that swept past him as he stood aside, shielding his red light under the skirt of his coat, so that no hoghead would mistake it as a stop signal and curse him, afterwards report him, for his carelessness. Human beings they were indeed, but such as would not claim that relationship with him, the hobo, tramping the track, watching it with a full realization of the straining responsibility that rested upon him, stooping over it in his dim light with a mother's anxious care, beaten by the storms that scorned him, chafed and numbed and buffeted by the winds that prowled out of the

dark places like bony wolves, awed into a shuffling, silent, songless, wordless thing by the muffling blackness that capped the world.

Bill, in his solitary watches, found much food for reflection in comparing his own hard lot with that of other men, and his mind often reverted to the teachings of Jack Ryan and found a certain comfort in them. It was something to know and feel the weight of importance, no matter how one might be underrated by those whose interests he served, whose safety he insured. Something, indeed, but Bill had his own longings, his own ideas of what a man might do and be a *man*, aside from Jack Ryan's hopeful philosophy.

So Bill turned his back to the trains when they passed, and they whirled up the snow, ground to powder under the flanges, and pelted him with it, clanking derisively. But then, said Bill, they would have pelted, likewise, a post, a captain, a conductor, or a king. It was the man they assailed, not his importance.

The night the ice went out fell with awesome strangeness, with a thin wind blowing, a wind that soaked like water through the heaviest clothing and crept along the skin with icy contact. It seemed to presage some menacing evil, some unrest in nature. Dogs burrowed far into the lee of stacks to escape the rigors of the night, and dumb creatures in their stalls dragged at their tethers and appeared to beg the comforting presence of man. They seemed to read an alarm that men were unable to feel or understand.

Why the ice went out in mid-winter, without any sign of a thaw, no man knew. It had done that before, and the theory of the most enlightened was that it came from a sudden rise in some underground source of the river. Bill found it groaning and cracking under its thick mulsh of snow when he reached the crazy old three-span wooden bridge, and it made him think of the ice fields of the northern seas, not to mention the brood of sailor superstitions it set flapping and winging in his head.

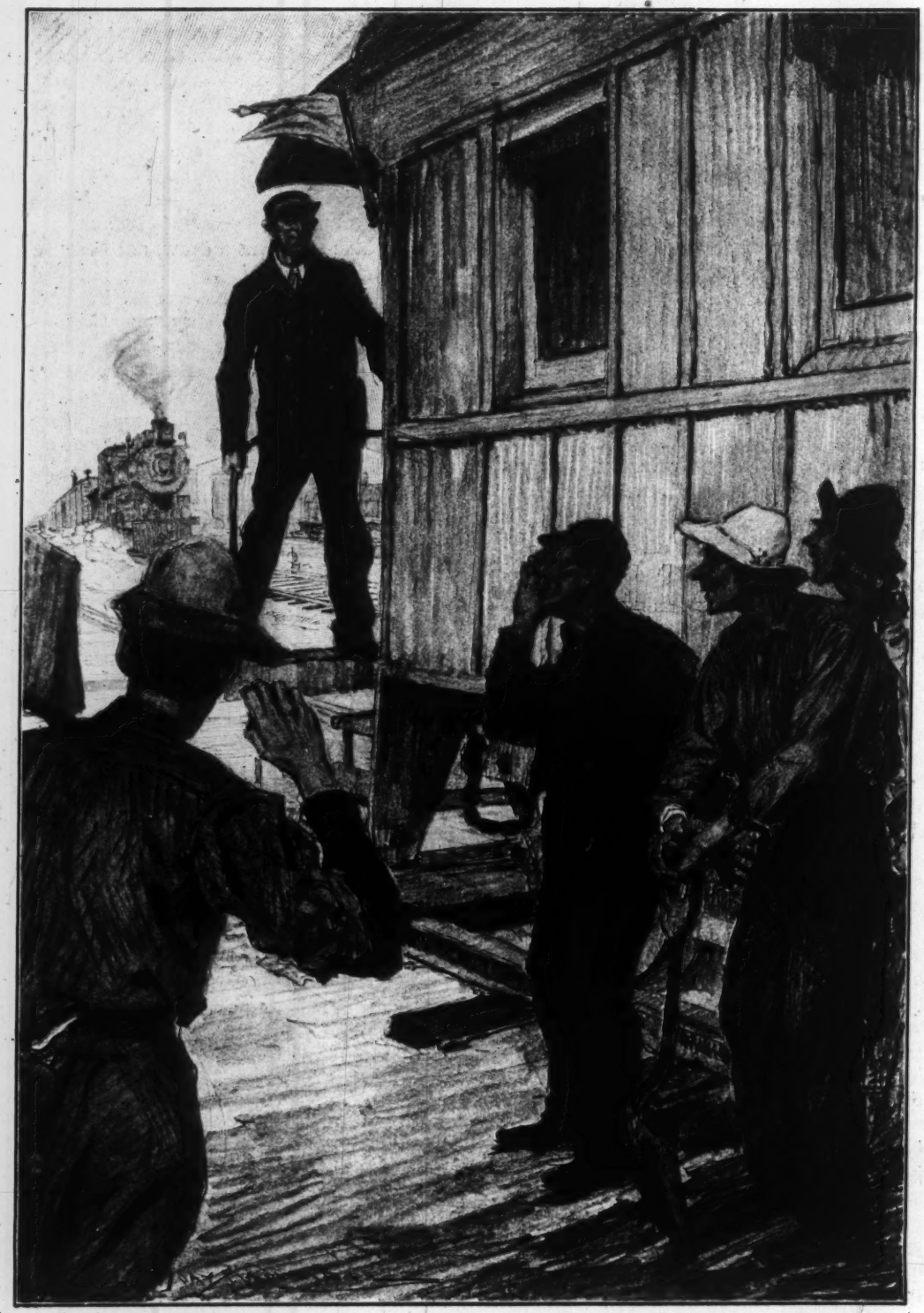
The bridge was three miles west of the station, and Bill had four more to cover before he reached the end of the section and turned back. It wasn't much of a bridge, and slow orders were out for it all the time, orders which were more or less disregarded by engineers. True, they generally shut down at the bridge, and allowed their trains to boom over it of their own momentum, wringing groans and threats from the weakened joints of the ancient structure and leaving it shivering long after their tail-lights had twinkled out of sight. It was built low, and driftwood and ice habitually packed against it, gorging the stream and worrying Jack Ryan more that all the curves together in the seven miles of his sinuous section.

The middle span was a draw, not because steamboats navigated the river, not because they had ever navigated it, but because the government surveyor who first took its depth charted it as capable of being navigated. The draw span was a monument to certain obstructionists who sought to block the progress of civilization. They insisted on having either a drawbridge or no bridge at all, and, the law being on their side, the turning span went in, plump over the channel, on a fat, low pier. Once a year Jack Ryan had to swing the span, with a great expenditure of black oil and profanity, to make sure it was in shape to let the fleet pass, and the rest of the time it was secured in the dogs with two switch locks at each end.

Bill found a big, black gap in the bridge, where the draw span had been, when he reached it on the homeward trip, and in the feeble glow of his lantern he saw the abutting wall of the gorge that had piled against it and carried it out when it broke. Great blocks of ice, still carrying their sheeting of snow, crunched and packed together in slow-moving procession through the narrow opening in the channel, and among them he could make out the skeleton timbers of the span, which appeared to have been just pushed over and left whole. In a measure Bill was glad, knowing what a weight it would be off Jack's mind. Then his heart contracted and almost flunked its trick at the pumps, and Bill began to examine the ties for wheel marks.

"I hope none of them that's passed from the heast never div in," said he, "an' I don't suppose as hanything never did. If she did, she done it d—— quiet an' neat. Lucky job this snow 's got 'em purty well tied hup. Nothin' but Number Seven an' a hextra freight has went west to-night."

Bill began to sweat. The load of responsibility, of which Jack so often spoke, was here suddenly increased, and never a minute's warning to a man so he might brace his legs. He was due, according to his unvarying



"HOLDING TIGHTLY TO THE RAILING . . . AND GRINNING HIS ACKNOWLEDGEMENT OF THE GANG'S GREETING"

schedule, to meet Number Six two miles beyond the bridge. Bill wedged his red lantern between two ties, hurried back the regulation distance, and put out his torpedoes. Then he returned to his danger signal to face the question of getting over the ice-packed river to stop Number Six.

"I might flag 'er from 'ere if that curve on the other side was straight track," he reflected, "but it ain't. You got to go down the road an' meet 'er, Bill, you got to git hover, hold boy, no matter if you got to walk the hair."

Bill leaned over and looked at the deceitful river, lipping the pier with a warm gurgle one moment, grinding thick blocks of ice against it the next, flowing at its accustomed level. "Well, hold girl," said he, "you done your job that you've been layin' hup to do this many a year, didn't you? An' you done it easy, an' without no talk, that's what you done, an' Jack Ryan asleep in 'is bed, too. But, hold Bill Davies, 'e don't sleep, 'e's the man that wakes an' worries an' walks the road o' night, lookin' hout for such traps as you set. An' it's a trap hold Number Six wouldn't never cross hover twict, no matter how often she don't ketch the p'int of the frog hopposite the tool-'ouse, that's what Bill Davies 'e says. But I'm a-goin' hover you an' beat you hout of Number Six, an' that's more what Bill Davies says."

It wasn't much of a job to swing down and hold on to the end of a tie, lantern over his arm, until a big piece of ice floated under his feet, and it wasn't an undertaking that appeared perilous to Bill to step from block to block and work his way across the channel. The ice was thick, and it ran sluggishly, with a threat of again blocking the river. The shore ice was sound, and Bill made for it steadily, although the stream was bearing him down. Four yards from the solid ice his legs went through a mass of snow which he mistook for safe footing. Bill threw himself forward and caught a cake within reach, losing his lantern in his effort to hold his head above water. It was a sharp fight for the shore, but Bill made it, drenched from soles to chin, his wits in a whirl, his garments stiffening on his limbs.

"Now, how're you goin' to stop 'er, Bill?" said he, setting off in a heavy run for the bridge, a good three hundred yards up stream. "If your matches ain't all wet, what you goin' to set afire to make a light an' flag 'er with? Your breeches is a hicicle, your coat's soaked, an' your shirt is, too. You're all wet, Bill, but the 'air of your 'ead, an' d—— if that ain't wet, too, but you got to stop 'er Bill, even if you got to ditch 'er some 'ow."

He clambered up the bank beside the pier of the bridge, and as he reached the track he heard her whistle, sounding with the regular beat of a telegraph-key, signaling the crossings as she spun along the snow-deadened road. "Minkel's crossin'," said he, stopping a moment to free himself of his coats which clung with the stiffness and weight of armor to his back, casting his bag of tools aside with them, baring his wet shirt to the stiffening touch of the wind. Then Bill ran, ran without any definite idea as to how he was to stop Number Six, but full of the necessity of getting as far away from the bridge as possible, and saving the women and children aboard of her.

It narrowed down to the women and children as Bill ran, his shirt as stiff as tin, his body aching with the poignant pain of cold that comes before numbness: the women and children, let the men look out for themselves. Who was he, the jerry, the hobo, that he should concern himself with saving those who had laughed at him all the heavy years he had been humping his back over a tamping-pick, who would go on laughing at him to-morrow? Well, let them go, let them jump, as Jack Ryan said all hogheads did. But the women and children couldn't jump with nothing but the hard snow to fall on, and roll and bounce, and then lie still, with red spreading in great spots all around them.

Bill's feet pounded the track without feeling, his limbs obeyed the onward impulse like nerveless shafts. Sometimes he fell, and once his cheek struck the rail, but he arose with a dim exultation, conscious that at another time, under other conditions, that blow would have hurt. Now nothing could hurt, not even the wind, crooning its tremulous dirge among the taut wires beside the track. Bill pulled at his cap, settling it a bit in defiance of the elements.

"The linin' of it, man," he cried, stopping and lifting his eyes to meet the head-light of Number Six, which winked around a curve not half a mile away, "maybe the linin' of it's dry, maybe it'd light! Here, she's comin', quick, man, a match, a match, I say! What a' you bunglin' over? Wait now, wait, easy, Bill, easy. Where *is* them matches, Bill? Did you burn 'em all hup in your d—— hold pipe, not leavin' one to start a fire to flag a

train, an' no knowin' how many women an' little ones aboard of 'er, God help you!

"No, no!" he screamed, "the match-safe was in the pocket of my overcoat, an' it's back there, miles back there beside the track, an' no man can save 'em now! Oh, Bill, Bill!" he sobbed, "that was one 'ell of a break, Bill!"

The light was wavering at his feet, and when he looked along the track toward her he could see the glint of it on the tops of the rails, and the black flange marks grooved in the snow beside them.

"Stop!" he yelled, swinging his arms, "look at me, you d—— hoghead, stop, stop, stop!" Prancing, leaping, signaling, he strained his throat with the cry, and the wind shrieked down on him, caught his puny warning from his lips, and smothered it in the night.

The engineer of Number Six, looking straight ahead, saw something on the track, something that appeared to move; but he could not tell whether it was beast or human, or merely one of those fantastic shadows that flit in and out to unnerve a man on a night run. If a man, surely he would get off in time, and if a beast — well, the trans-continental mail could not be stopped on account of every creature that crawled in its path.

"He don't see me, the hoghead's asleep," cried Bill, "but I'll wake 'im, d—— 'im, I'll make 'im see me!" He felt the ground shake beneath the weight of the approaching train as he groped in the snow beside the rail, forgetting that he was a mite against the brutal, unfeeling force that roared on toward him.

She was only a few rails' length away when he stood full height again, something in his hand, something which he hurled with all his strength straight at the engineer's front cab window, as the bulk of the engine sprang upon him, and the gleam of the head-light fell beyond, leaving him in darkness. Then Bill reeled aside, and the cylinder head caught him as she passed.

The engineer heard the glass crash, felt the impact of something soft that hit him full in the chest, and then he saw. Shut off, air, reverse, all the work of a second, and when the panting engine stood still, the engineer put a match to his torch and looked at the thing that had struck him. It was a man's cap, and in it was a chunk of snow crust, rolled there to give it carrying weight.

Back a little way they found Bill Davies and puzzled over him, wondering why he had acted so. "He 's a jerry," said the engineer; "he's worked on this section for years. He must 'a' gone nutty to throw his life away in that shape."

But the conductor, who was more of a man, having a wife and little ones of his own, said nothing, only looked ahead, waiting for the brakeman, whom he had sent down the line. He was coming, his lantern dancing up and down as he ran.

"The bridge's out," he gasped, "a span of it in the middle." Bill was much used up, together with the frost and the engine, but somebody noticed a flicker of breath, and they rolled him in blankets from one of the sleepers. He was able to talk with the company's claim agent in a week, and after that shrewd person had felt the way and found Bill in no notion of asking for a settlement, he said:

"Mr. Davies, there must be something better than a job on the section for a man of your capabilities."

Bill closed one eye tightly and fastened the other on the claim agent's face like the point of an awl. "'Mean t' say the comp'ny'd give me somethin' easier if I wanted it?" he asked.

"Glad to do it, Mr. Davies, if you'll state your preference."

Bill raised himself on an elbow. "Look a-'ere, man," he cautioned, "don't you go a-makin' game o' me. If this 'ere comp'ny wants to do hannything for me, I tell you *my* preference is for a job of brakin' on a passenger train, that's what my hambition leans to, Mr. Hagent."

"Very well, Mr. Davies," the claim agent replied, "I guess that can be arranged."

Jack Ryan contrived to have his gang at work on the house track, beside the depot, the first trip Bill made. When Bill stepped off in his new uniform, with his cap flaring, his ears out, and his trousers reefed a couple of turns to make the length agree with the legs inside of them, Jack affably gave him the high sign.

"Billy means well," said Jack, as the train pulled away, the new brakeman holding tightly to the railing on the back platform and grinning his acknowledgement of the gang's greeting, "he means well, an' he have th' makin's of a hayro in 'im. But why didn't he sthrike th' comp'ny f'r a section, Meehan, why didn't he sthrike 'em f'r a section, an' be a mon?"

THE STORY OF MONTANA

BY

C. P. CONNOLLY

IV

THE SALE OF THE MONTANA LEGISLATURE, AND CLARK'S ELECTION

ILLUSTRATED WITH PORTRAITS

IT will be remembered that on the 10th day of January, when the first ballot for United States senator was taken immediately after the Whiteside exposure, only seven votes were cast for W. A. Clark.

On the 28th day of January, Clark was elected by fifty-four votes. Forty-seven votes were procured within eighteen days at a total cost of $431,000, not including $30,000 turned over to the State Treasury by Senator Whiteside. The memorial which was afterward addressed to the United States Senate charged that:

"For the purpose of securing the support of members of said legislative assembly to vote for and elect said William A. Clark, William A. Clark paid to C. C. Bowlen the sum of $10,000; to Jerry Connolly, $5,000; to Thomas P. Cullen, $15,000; to C. O. Gruwell, amount unknown; to W. J. Hannah, $15,000; to S. S. Hobson, $50,000; to A. W. Mahan, $10,000; to Samuel L. Mitchell, $25,000; to Ben D. Phillips, $25,000; to W. E. Tierney, $15,000; to D. G. Warner, $15,000; to W. W. Beasley, $10,000; to Powell Black, $5,000; to J. H. Geiger, $15,000; to Stephen Bywater, $15,000; to W. C. Eversole, $10,000; to B. J. Fine, $10,000; to Robert Flinn, $10,000; to H. H. Garr, $6,000; to J. H. Gillette, $10,000; to H. M. Hill, $10,000; to A. J. Jaqueth, $10,000; to Dr. J. H. Johnson, $5,000; to F. W. Kuphal, $4,000; to W. H. Lockhart, $5,000; to C. C. Long, $10,000; to T. H. Luddy, $10,000; to G. W. Magee, $17,000; to G. F. Marcyes, $15,000; to H. W. McLaughlin, $20,000; to E. V. More, $10,000; to L. C. Parker, $10,000; to R. M. Sands, $15,000; to M. Shovlin, $7,000; and to E. P. Woods, $7,000."

That the following sums were offered to other members of the legislature:

"To J. T. Anderson, $25,000; to J. R. McKay, $15,000; to G. H. Stanton, $10,000; to Henry C. Stiff, $20,000; to E. H. Cooney, $20,000; to H. A. Gallwey, $10,000; to Edwin Norris, G. T. Paul, and D. E. Metlin, jointly, $50,000; to T. F. Normoyle, $15,000; to P. G. Sullivan, $15,000; to R. J. Watson, $10,000; and to W. J. Bonner, $10,000."

Thirty-five men under oath not "to receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act pertaining to their office, other than the compensation allowed by law," were not seduced without a struggle.

The story of those eighteen days was a story of consummate strategy and desperate conflict. The legislators went down one by one, were fought for man by man. This man-hunting had its intoxication, and the chase once begun, it made its own impetus and developed into a kind of frenzy. If a man had a weakness in his nature or an exigence in his circumstances, Clark's generals found it. His debts, his indiscretions in conduct, his best sentiments, even, were turned into effective weapons against him. His business was threatened; his friendships were menaced; his wife, his sister, and even his mother were often made intercessors for his tempters. His old associates, his creditors, his family doctor were put upon his trail.

HENRY C STIFF

The emotional strain brought to bear on men was so heavy, the promises held out to them were so alluring, and the reward of honesty seemed so bleak, that no anchor could hold a man except the needs of his soul. If he lived by bread alone, he went with the wind.

Attempts to Bribe the Speaker of the House

Henry C. Stiff, of Missoula, elected speaker of the House over the Clark candidate, had been the object of much adroit plotting, even before the legislature convened. He had been at times a strong opponent of the Daly faction and had been a law-partner of Walter M. Bickford from 1892 until 1897, when Bickford moved to Butte and became a member of W. A. Clark's legal staff.

In the forenoon of Sunday, December 11, 1898, Bickford went to Stiff's office in Missoula, and saw him alone. He presented to Stiff a sheet of legal-cap on which was a list of the property of H. W. McLaughlin, a member-elect of the legislature, from Missoula County, who had been known as a Daly man and had been elected on the Democratic ticket. The property was itemized in groups, and opposite each group were figures indicating the valuation. At the foot of the paper was a total valuation of $33,000. Below this was appended a statement, signed by H. W. McLaughlin :

"I agree to sell the above property at a discount of twenty-five per cent and accept employment in lieu thereof as mill-manager for a term of two years at $2,400 per year."

After talking in a general way of Clark's candidacy for the United States Senate, Bickford finally said to his old partner :

'We want your active support for Mr. Clark for the United States Senate. McLaughlin is going to support Mr. Clark, and I want you to examine the title to the property mentioned in this paper, and report to me your opinion of it. For this you will be paid $500. If you will support Mr. Clark you will be placed upon his roll of attorneys at a salary of several thousand dollars a year, for a term of years. Mr. Clark is going to purchase this property from McLaughlin, and McLaughlin is going to vote for him for United States senator."

Stiff said he was then too busy to examine the title. As he rose to leave the room, Bickford, taking a pair of scissors from the table, cut off from the paper the statement signed by McLaughlin, handed the rest of the paper to Stiff, and said : "Take this along with you anyway, and think about it." Stiff put the paper in his pocket, and Bickford left the room.

In the investigation at Washington, Bickford denied that he had cut off a piece of paper from the sheet of foolscap which Stiff had produced at the hearing. Senator Chandler, chairman of the committee, asked Bickford on the witness-stand to fold the paper which he held in his hand, as it had originally been folded, and as Bickford did so, the last fold of the legal-cap fell short by one and one-half inches, corroborating Stiff's testimony.

Stiff was also approached in his office by A. B. Cooke, a former State auditor of Montana, and offered $20,000 for his vote.

On the Monday preceding the Saturday on which the last ballots for the senatorship were to be cast, when the whole town was crazed with excitement, Cooke accosted Stiff in the lobby of the Montana Club, and under the pretext of showing him through the building, took him into a small card-room up-stairs and shut the door.

"I think you had better accept the proposition I made you at Missoula, and vote for Mr. Clark. He is gaining all the time and is clearly going to be elected. You had better take the $20,000."

Below in the lobby of the Montana Club Stiff had noticed Clark's agents in earnest

talk with members of the legislature, and, as he explained to the Committee on Privileges and Elections at Washington, he was anxious to find out at first hand just what was going on. He proceeded, accordingly, to draw Cooke out.

"Cooke," he said, "if Clark wants my vote, he can very well afford to pay me more han $20,000 for it."

"Well, how much more do you think he ought to pay?"

"I don't want to be understood as soliciting or making a proposition to the effect that I will vote for him for any particular sum; but if he wants my vote very badly, he can afford to pay me $50,000."

"I'll go to Mr. Clark, and see what he says about it," responded Cooke. "When can I talk with you again?"

"I'll meet you here at eight o'clock," replied Stiff. But he did not keep the appointment.

When he was asked whether he resented such proposals from his friends, Stiff said that he did not feel hurt in the least. "I knew my strength better than before. I have often since congratulated myself that I was able to resist the offers that were made me."

Trading in Men's Necessities

H. W. McLaughlin, of whose property Bickford had shown an itemized list to Stiff, had been sheriff of Missoula County and, before this memorable legislative session, had been a man whose honesty and integrity were unquestioned. He had been elected on the Daly-Democratic ticket and was known to be unfriendly to Clark, but he was in serious financial difficulties when he went to the legislature.

McLaughlin owned a planing-mill and several town lots in Missoula, and some timber-lands in the county. The planing-mill had not been in operation for several years, and had been stripped of its machinery. The shed and outbuildings were used as sheep corrals, and the main building and its equipments had rotted through disuse. He had removed the greater part of the machinery some years before, to a place called Ninemile, below Missoula, and there his second planing-mill, and with it the machinery, was destroyed by fire.

In September, 1898, he had written to Bickford, whom he had known in Missoula, asking if he could get a contract from W. A. Clark to cut timber. Some time elapsed before he heard from Bickford, who waited for the nominations to be made at the county convention. Seeing McLaughlin's name among the candidates for the legislature, he answered his letter and told him he would speak to Clark in his behalf. McLaughlin took the train for Butte and saw Bickford, who questioned him as to his holdings in Missoula County, and advised him to return to Missoula and write him a letter, stating just what property he had, and placing a valuation on it.

McLaughlin put a valuation of $33,000 on his property. He received $24,000 for it, and employment for two years at $2,400 a year. Afterward, one witness testified that $10,000 would have been an exorbitant price for his holdings. A company called the Western Lumber Company was formed, composed of W. A. Clark, W. M. Bickford, A. H. Wethey, business-manager for W. A. Clark, and McLaughlin. McLaughlin received $16,000 in cash, and $8,000 in stock. Of the $16,000 in cash, Clark paid him $10,000 in December just after the legislature convened, and $5,000 in March, just after it adjourned.

H. W. McLAUGHLIN

McLaughlin was one of the few who voted for Clark on every ballot. "It is a matter of bread and butter to me and my family," was his explanation.

Case of Representative Woods, of Ravalli

E. P. Woods was a Democratic member from Ravalli County, in which Daly's great ranch lay, and he was supposed to be a Daly man. On November 17, 1898, a week after the general election, Walter M. Bickford wrote a letter to a friend of his, Dr. E. L. P. Ector, a dentist at Stevensville, Ravalli County, in which he said, referring to Woods:

"Write me and tell me what indebtedness, if any, our friend may have which is secured

or unsecured Is there any mortgage upon his ranch, or is he under obligations of a pecuniary nature to any person, and if so, how much is the amount, and when is it due, and is he being pressed for money or for the payment of the debt? I wish to make arrangements to take care of this myself, if there is anything of the kind. I want an immediate answer to this letter, so that I can complete arrangements before the middle of the next week."

E. P. WOODS

Dr. Ector replied that Woods owed about $6,500 for his ranch, was in debt for expenses which he had incurred during the illness of his wife, and Ector thought he could "handle him" for $7,000. On December 31st, two days before the legislature met, Bickford went to Missoula with $7,000, which he had received from Charles W. Clark, and offered to pay it into the hands of Dr. Ector to be held by him for Woods. Woods had told Dr. Ector the day before Bickford's visit that he could not afford to sell himself and his family, instructing Ector to have nothing to do with the matter, so Ector declined to receive the money. But the hounds kept in full cry upon Woods' trail, and returned from the chase with blood on their noses.

Dr. Ector, during the course of the attempt to "land" Woods, became alarmed lest he was not the only one authorized to "do business" with Woods, and on December 7, 1898, he wrote to W. A. Clark, himself, as follows:

"Dear sir:

Some time ago, Hon. W. M. Bickford came to see me in reference to one of the members of the legislature from this county as to his position on the senatorial question. He asked me to do certain things, which I did, and wrote to him over two weeks ago, but have not heard from him yet. Yesterday, in going to Missoula, I found another gentleman, Dr. Minchell, on the train, who wished me to do about the same things in regard to business in this county. Now, this places me at sea as to who does represent you in this case. As far as I can see, it will be who *sees* Mr. Woods first in this case — and while I represent Mr. Woods, I wish him to do the best he can for his own interests. There is also a fine chance to get one member from Missoula County. I wrote to you some weeks ago. Of course, I cannot and do not expect to hear from you, personally, but do expect to learn who I shall deal with in this matter. Of course, I am after what there is in it for me, and if you wish me to help in this matter let me hear from your man in this by return mail."

Clark replied to his letter on December 10th, as follows:

"Dear sir:

I have your esteemed favor of the 7th instant, and note contents. With regard to the business referred to, the matter was left entirely in the hands of Mr. Bickford, whom I met this morning. I spoke to him about it, and he told me that the party named went to Hamilton for an entirely different purpose and not to see the party that you refer to. Mr. Bickford will communicate with you on the subject, as I am not acquainted with the situation. I am very much obliged to you for the interest you have taken in the matter."

DR. E. L. P. ECTOR

Ector, according to his story, was to get ten per cent of whatever Bickford got from Clark for his services in matters connected with members of the legislature. But when he failed to "get" Woods, his appeals for remuneration, except

for the payment of about $300, were ignored by both Clark and Bickford. In retaliation, he later turned this correspondence, with more of an incriminating nature, over to those who were contesting Clark's seat.

Woods went to the legislature a poor man. The title to the ranch upon which he owed $6,500 was held by James W. Kemper, of Butte, a cousin of Mrs. Woods. About March 1st, immediately after the adjournment of the legislature, Woods' half brother went to Butte and paid Kemper $6,500 on Woods' account, and received a deed in the name of Mrs. Woods. He told Kemper that Woods could get the money at a lower rate of interest from Eastern capitalists. This tell-tale deed was never recorded. Nearly a year later when the ranch was sold, Kemper gave another deed in his own name as grantor, and no incumbrance appeared upon the property in the name of Eastern or other capitalists.

STATE SEN. HENRY L. MYERS

In November, 1898, Woods had borrowed $1,000 of John L. Miles, of Lo Lo, part of which was to pay his expenses at Helena. To secure the debt he gave a chattel mortgage on some live stock. The mortgage was payable in one year, but the payment was anticipated, and the debt discharged within a month after the legislature adjourned, seven months before it was due. Woods voted for Clark throughout the session.

Repeated Attempts to Secure the Vote of Senator Myers

State Senator Henry L. Myers, also from Ravalli County, was an able lawyer at Hamilton, the county seat. The shameless attempts made to buy his vote undoubtedly influenced him to assist Whiteside in exposing Clark's corrupt dealings with members of the legislature.

It was a favorite method of the Clark faction to influence a man through his affections, and to make his most trusted friends instrumental in corrupting him. Myers had an intimate friend, Dr. S. W. Minchell, a man of charm and cultivation, who lived in Montana because his health required a high altitude. He had been the attending physician in the last illness of Myers' mother, and had been exceedingly kind to the family in their sorrow.

After the general election in November, Minchell began discussing the senatorial situation with Myers. One day he informed Myers that he had been requested by Walter M. Bickford to see him and to say to him for Mr. Bickford that the Clark people wanted his vote. If he would vote for Clark, he would be given a position at Bridger — where Clark was interested in some coal mines — as Clark's attorney, at a salary of $2,500 for the first year, and $500 additional for each year thereafter. Minchell stated that he himself was going to move to Bridger after the legislature adjourned and take a position there, on salary, as physician for Clark's employees, and that he would like Myers to join him.

Two weeks later, Walter M. Bickford, himself, came to Hamilton, and repeated the proposition in more liberal terms. A day or two after this, Myers received this letter from Charles W. Clark:

"Dear sir:

I have to-day sent to Mr. Minchell $500 as retainer for your services, which are to begin with us at the Bridger coal mines. I am interested as well as my father in this proposition, and I am very much pleased that you will take charge of the legal work for us there. I expect to be in Helena some time next month, and will probably see you. Mr. Bickford asked Dr. Minchell to pay the amount to you."

This $500 in currency was sent to Minchell by express, although the check of W. A. Clark & Brother, bankers of Butte, was as

good as New York exchange anywhere in Montana.

Myers was surprised to get this letter, for he thought he had made himself clear to both Minchell and Bickford.

A day or two after the Whiteside exposure, early in the morning, Charles W. Clark came into the senate chamber where Myers was at work at his desk, and told him he wanted to speak to him privately. They went back into the rear of the senate chamber, and Clark said that he understood it was Myers' intention to make public in the joint assembly that day the letter he had written him at Hamilton; he hoped Myers would not do it; he had supposed it was all right when he wrote the letter. Myers told him he had no intention of reading it in the joint assembly. As a matter of fact, the letter was at that time in the hands of the Attorney-General for use before the grand jury.

Between the Whiteside exposure and the convening of the grand jury, Ben Hill, a fellow-townsman of Myers, came to him one evening. He had been trying to persuade Myers to vote for Clark, at one time telling him he could get him $25,000 for his vote. Hill now complained very bitterly that Myers had coöperated with Whiteside instead of with him. "Clark and Wellcome and A. J. Steele think that because I am so intimate with you, I must have known what was going on, and that I've played them false," said Hill. He seemed greatly distressed and begged Myers to go down to the Grand Central Hotel and tell A. J. Steele that he (Hill) had known nothing of the Whiteside affair before it became public.

"I didn't want to go," said Myers, "I knew what kind of a man Steele was, and it looked a little suspicious. I had had nothing to do with Steele, and wanted to have nothing. But Hill was so insistent that finally I told him if it would place him in a better light with his friends I would go."

The two went to a room in the Grand Central Hotel. Hill brought Steele in and then withdrew, leaving Steele and Myers alone in the room.

"Is there any consideration that can be named that will induce you to vote for W. A. Clark?" said Steele bluntly.

"There is none."

"Is there any consideration that can be named that will induce you to leave the State until this fight is over?"

"There is no consideration whatever that will induce me to do that."

Steele then drew from his pocket a paper. It was a statement purporting to come from Myers, denying any affiliation with Whiteside in the matter of the exposure, and contradicting *in toto* his own testimony before the legislative committee.

"I will not sign that. That is not true."

"Is there any consideration that can be named that will induce you to sign this paper?"

"Absolutely none. There is no use in our discussing this matter further. I came here for another purpose, and I see that I have been deceived."

Steele tore up the paper and threw it into the waste-basket.

"I guess that is about all I have to say," he observed.

Myers left the room.

Young Men Approached by Their Friends

Thomas F. Normoyle was a young bookkeeper who lived in Butte. At the time of his election to the legislature on the Democratic ticket, he had been for nearly two years deputy clerk of the District Court. Clark had spent a large amount of money to support the combined Clark-Republican ticket, and to defeat the ticket on which Normoyle was elected.

In the evening, on his way home from work, Normoyle was in the habit of stopping at Fair's drug-store, to wait for his car. Fair was a friend of Normoyle's, and when they were alone in the drug-store, one evening after Normoyle's election, Fair told him that he wanted to talk with him about voting for Clark for United States senator.

"You can get $10,000 for your vote," said Fair.

Normoyle, thinking Fair was joking, put him off in the same spirit. Fair resumed the conversation at different times after that, and made the remark that if Normoyle did not want to vote for Clark he might make as much by leaving the State and remaining away from the legislature.

"You can 'heel' yourself for life," said Fair. "You can leave Butte. You are not making anything here, and you might as well 'fix' yourself. I have seen W. A. Clark and his son Charlie, and I can arrange this."

"I will not vote for Clark," said Normoyle. "He opposed the ticket on which I ran, and I don't see how I can vote that way. There is no use talking to me about it."

In Helena, Normoyle was offered $12,000 for his vote and again refused.

When the revel was at its height on the night of Clark's election, and the bars of Helena served nothing but free champagne, Fair, the druggist, was there, and good-naturedly laughed his friend Normoyle down the wind.

Preachers of Helena Were Silenced

Rev. B. E. H. Warren, chaplain of the lower house during the legislative session, was pastor of a struggling little Methodist Church at East Helena. He had been ordained about eighteen years, serving about eight years within the bounds of the St. Louis conference, and the remainder of the time in Montana. He was a man of mettle. Once, down in the little town of Sweet Grass, in Eastern Montana, where he had served as pastor, a man had slandered him. Mr. Warren went meekly to him and demanded an explanation. The man called him a very harsh name. Mr. Warren promptly knocked him down with his fist, went to the little justice court, and pleaded guilty to a charge of assault.

REV. B. E. H. WARREN

Mr. Warren was frankly a Clark man at the beginning of the session. As the rumors of bribery thickened, he became perplexed. Four days before the final ballot which elected Clark, Mr. Warren and his friend, Charles Callahan, doorkeeper of the House of Representatives, were discussing the question of bribery, and wondering whether all they heard could be true.

"I am a friend of Mr. Clark," said Mr. Warren; "but if I could feel sure these things are true, I could not but repudiate him. I have a notion to go and see him myself."

Mr. Warren, accordingly, sought a personal interview with Clark.

It was just before noon when he rapped on the door of Clark's room in the Hotel Helena. Senator Clark answered the knock in person and gave the chaplain a hearty handshake. He then said he was busy dictating his mail and asked whether Mr. Warren's business would take much time.

"Only a short time," said Mr. Warren. He was invited into a side room.

"What is the prospect for your election, Mr. Clark?"

"I will be elected"— impressively. "But I do not want to be elected until I get a majority of the Democrats. If it were not for that, I could be elected any time."

"I heard a friend of mine, a Democrat, say he would support you for a consideration," said Mr. Warren.

"How much does he want?" asked Senator Clark.

"Ten thousand dollars, I believe."

The chaplain then told Clark who the man was. Mr. Clark reflected a moment.

"I can't do anything personally," he said. "It wouldn't do. But the matter will be arranged."

The next morning, in the lobby of the Helena Hotel, Clark came up to Mr. Warren and shook hands with him.

"Where is your friend?" he asked.

"I have not seen him this morning," answered the chaplain.

"Tell him I want his vote to-day. I must see him. This thing must come to a head."

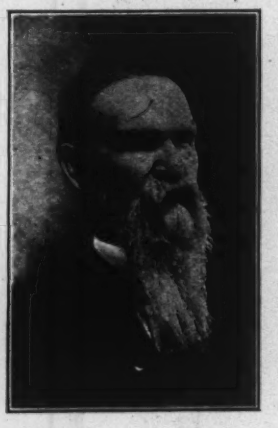
"Charlie," whispered Mr. Warren to his friend Callahan, the doorkeeper, as he went into the House of Representatives that morning to offer up the invocation for the day, "there is no doubt in my mind, now."

"*Let us this morning offer up a petition for strength and wisdom for the members of this body, in view of the many and grave temptations with which they are beset,*" said Chaplain Warren in his invocation, immediately after the House had been called to order.

The chaplain appeared as a witness before the Supreme Court of Montana in the disbarment proceedings against John B.

Wellcome, ten months later. After his testimony was given in that court, slanderous stories were brought out against him, and he resigned not only his pastorate but the ministry. Feeling against him ran high in Helena. He had a wife and five children, and two of his sons, one eighteen and the other twenty-one, who were employed at a denominational hospital, were discharged, — through the influence of Senator Clark, as Mr. Warren's friends alleged.

When Warren had his conversation with W. A. Clark in his room at the hotel, Clark asked the chaplain how he was getting along in his church work. Mr. Warren replied that they were very much behind financially.



D. G. WARNER

When the legislature adjourned, and Clark returned to Butte, he sent the chaplain a check for $100. The chaplain acknowledged the receipt of the check, thanked Senator Clark, and congratulated him on his election. He used the $100 for personal expenses, but maintained that his church was in debt to him for more than that amount. After his resignation from the ministry, Chaplain Warren became a colporteur.

An Episcopal minister in one of the larger cities of the State, immediately after Clark's election, denounced him and his methods in a strong arraignment from his pulpit. Senator Clark and his friends beat the bushes along the back trails and raked up an alleged family scandal in which the minister was said to have been involved. The minister resigned shortly after, and accepted a pastorate in the East.

Senator W. J. Hannah, of Sweet Grass County, had been a minister also. Two months before the legislature convened he was in the Philippines with the Montana regiment. John S. M. Neill told Whiteside that Clark sent Hannah $2,000 by cable to pay his expenses home. He voted for his friend, Dr. J. M. Fox, for United States senator continuously up to the eleventh ballot, when he began voting for Clark.

About the time of the meeting of the legislature, W. A. Clark made a personal three-year loan of $25,000 to the Ross-Dyer Mercantile Company, of Big Timber, in Sweet Grass County. This concern later published, at Big Timber, a newspaper friendly to Mr. Clark, and after the adjournment of the legislature, Senator Hannah, who did not return to the Philippines, became its editor.

A Deal in Real Estate

Three of the Jefferson representatives were: Thomas C. Lyon, county attorney; D. G. Warner, sage and political soothsayer; and Pat Luddy, a political promoter.

Before the election, Lyon and Warner went to Anaconda to see Marcus Daly for the purpose of securing financial help for campaign expenses. They did not see Daly, but met John R. Toole, who told them that if he gave them money, and they went back to Boulder with it, their political enemies would at once cry "Anaconda boodle." He advised them to rely for support upon their local committee. This advice looked like very cold comfort to Warner and Lyon, and they stopped at Butte, which was on their way to Boulder, and interviewed W. A. Clark. In a few days John B. Wellcome was seen on the streets of Boulder, and Warner's financial circumstances suddenly became better. After the election, Lyon and Warner again went to Butte. Lyon saw W. A. Clark and told him he thought he could secure Warner's vote for him for $15,000. Clark informed him, as he had others, that he could not personally be mixed up in anything of that sort, but that the matter might be referred to his son, Charlie, or to John B. Wellcome. Lyon then piloted his partner in this questionable deal across the street to John B. Wellcome's office, where they met Charlie Clark. After introducing Warner to young Clark, Lyon left the office and remained out for some time. When he returned to the office, Warner had left, and Charlie Clark said to Lyon:

"The old — wants $15,000."

"He does?" said Lyon, in feigned surprise.

"Yes; and the trouble about it is, I have got to give it to him," said Charlie.

Charlie then said to Lyon that Warner would convey him some property in Boulder, and asked Lyon to act as grantee in order to cover up the transaction. Lyon said he would prefer not to become involved in any

WILLIAM E. TIERNEY

paper transaction which would place him within the pale of the law, and Clark said he would have to arrange in some way to veil the deal.

Two days before the legislature met, Warner's town lots in Boulder were turned over to a representative of Charlie Clark's, the consideration named in the deed being $7,500. This representative admitted that he bought the property for Clark, who, he said, expected a "rise" in Boulder real estate. The transaction was concealed, he explained, because if it became known that a wealthy man like Clark was buying lots in Boulder there would be such a demand for them that he would not be able to buy any more property there without paying fabulous prices. The principal industry at Boulder then was a small health resort. A year later, the lots bought for Clark were sold for taxes. At the time of their purchase on his account Clark had never seen them nor had the representative who negotiated the deed.

Warner borrowed of the Bank of Boulder $500 in December, just before the meeting of the legislature. On January 8th, a week after the sale of his lots, he deposited in that bank $8,000 and paid his note for $500.

Several months after the legislature adjourned, Lyon told a friend of his that he had $2,000 on deposit, in his wife's name, had paid off a mortgage of $1,000 on his house, and had a small "nest-egg" left.

Lyon told Attorney-General Nolan later that Pat Luddy had received $7,500 for his vote.

Legislators Who Became Bankers

William E. Tierney was the State Senator from Broadwater County, and W. C. Eversole and Michael Shovlin were the representatives. Tierney was a member of the firm of A. M. Darcy & Co., and also of the firm of W. E. Tierney & Co., county mercantile establishments at Townsend. W. C. Eversole was a clerk in the employ of Tierney & Co., doing business for them at Hassel, in the same county.

When State Senator Tierney was elected to the legislature, A. M. Darcy & Co. (a firm composed of Tierney and a young woman named Alice M. Darcy), owed the Bank of Townsend about $10,000. This money had been owing a long time. Tierney was reputed to be worth, over and above his liabilities, about $5,000. Between March 1st and June 1, 1899, Tierney paid off his indebtedness of $10,000 to the Bank of Townsend. Most of this debt was paid in cash, and among the bills was one five-hundred-dollar bill. A large number of these bills which were paid into the Bank of Townsend were wet and sandy, as though they had been buried.

In June, following the adjournment of the legislature, Tierney himself organized a bank at Townsend with a capital of $25,000. Practically every dollar of the subscriptions to this capital stock was paid in currency. The day after the legislature adjourned, Representative Shovlin deposited $8,500 in currency in the Montana National Bank of Helena. Shortly after, Eversole, the other representative, bought out the interests of Tierney in the concern at Hassel, and both Shovlin and Eversole became stock-holders in the new banking enterprise at Townsend. Tierney's nephew, a clerk in a store, subscribed $4,000 of this new bank stock, his two sisters

W. C. EVERSOLE

E. C DAY

$2,000 and his mother $1,000. Tierney, himself, subscribed $5,800, which he said he had had in cash in the safe of Darcy & Co. for years, — during the time his firm owed the Bank of Townsend the $10,000. This money, he said, was kept in the safe with slips pinned to it, showing it to be his personal property, and no record of it was ever kept in any book, though his partner, Miss Darcy, knew it was there. The roll of money in the safe was added to, from time to time, as Tierney accumulated currency from different transactions — or dug it out of the sand. The bank rose like a phœnix from the ashes of the legislature.

Tierney voted continuously for W. A. Clark from the first ballot, and Shovlin and Eversole from the sixth.

In one of the conversations that Whiteside had with John B. Wellcome very early in the session, Wellcome told Whiteside that Tierney was to get $10,000 for his vote, and also that the Clark forces had agreed to help him organize a bank at Townsend and to take some stock in the institution to help Tierney out.

Edward C. Day, the Clark candidate for speaker, was a very able lawyer in Helena of the firm of Cullen, Day & Cullen. He was apparently a man of unimpeachable integrity. After the Whiteside exposure, he denounced W. A. Clark, but a few days later he was found voting and working for him as vigorously as ever. He explained this by saying that in Helena the feeling for Clark was so strong that he was compelled to support him. The day after the legislature adjourned, according to Day's own admission, A. J. Davidson, one of Clark's most prominent lieutenants, went to Day's office and told him that he had come to express Mr. Clark's thanks for the services he had rendered, and also to present to him a testimonial of his regard. As he made this statement, Davidson handed Day an envelop bearing the business address of W. A. Clark & Brother, of Butte, in which were two certificates of deposit for $2,500 each, payable to Day's order. Davidson had carried these certificates in his pocket for a month. Whether he thought it might incriminate Day to pay him before the adjournment of the legislature, or whether he thought Day might regard it as more considerate in him to hold the money until after the excitement was over, can only be surmised. This $5,000, Day deposited to his personal credit in the Montana National Bank of Helena. None of it went to his firm. Clark also paid Cullen, Day & Cullen $5,000 for their services as attorneys in the Wellcome disbarment case, and for their defense of the Butte *Miner* in a suit for libel brought against it by Fred Whiteside.

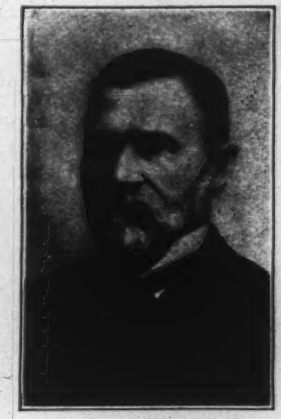
A Representative Burned in Effigy

Representative Washington W. Beasley was from Big Timber, a town in Sweet Grass County. A few days before W. A. Clark's election, Beasley said confidentially to State Senator Worden, another Republican, that he had been informed that W. A. Clark had offered $150,000 for ten Republican votes, and that he thought it was too good a thing to let go by.

W. W. BEASLEY

Beasley was a Montana wool-buyer for a Boston wool-house. When he was elected to the legislature he owed a board bill of $400 to the Big Timber Hotel. Notwithstanding this fact, Beasley carried around in his vest pocket during the session of the

legislature, according to his own admission, $5,000 in bills. He explained that he carried this money about him to keep it from his creditors, who might attach it if it were deposited in a bank. But singularly, this excuse did not apply to a deposit of $3,000 that he had at the time in the Thomas Cruse Savings Bank of Helena. He declared that he had got the $5,000 from his son in St. Paul, just prior to the meeting of the legislature. Beasley, with ten other republicans, voted for Clark on the last ballot. The legislative record shows that two days after Clark's election he was granted leave of absence for ten days on the plea of sickness. It afterward was proved that he left that same night for St. Paul. There was a rumor that he had gone to St. Paul to deposit the money he had received for his vote, but this was never verified. Beasley declared that he voted for Clark because Clark had pledged himself, as a Democrat, to vote for a tariff on wool. Beasley took out a life-insurance policy in Helena shortly before he voted, giving his note for the first premium on his policy, though he afterwards claimed that he had $5,000 in currency in his vest pocket at the time.



S. S. HOBSON

The day after Clark's election, and within an hour after the news that Beasley had voted for Clark reached Big Timber, his effigy was hanging across the main street of the town. It was placarded "Beasley the bribe-taker," and "Beasley, traitor to Sweet Grass County." The next day the effigy was burned in the presence of the populace. Beasley brought suit for $20,000 damages for libel against his Republican neighbors, but lost his suit.

One of the Men Who "Came High"

S. S. Hobson, State senator from Fergus County, was chairman of the Republican caucus. In April, 1899, the month succeeding the adjournment of the legislature, there was deposited in the Continental National Bank, the Chicago correspondent of W. A. Clark & Brother of Butte, $25,000, to the credit of Senator Hobson. At least one telegram had passed between John B. Wellcome and this Chicago bank during the legislative session.

The night before the final ballot, the Republicans held a secret caucus to determine what course they should pursue. Shortly after the caucus was convened, William Lindsay, a representative from Dawson County, who knew that eleven Republicans had been bought and paid for, largely through the influence of Hobson, said: "Let us make short work of this, gentlemen. There is no use beating around the bush here. We know what this caucus is going to do. All you gentlemen who are going to vote for Mr. Clark to-morrow morning had better stand up"— and the solid eleven rose as one man and left the room to their four unbought colleagues.

Senator Hobson was president of the Fergus County Bank at Lewistown. Former United States Senator Thomas C. Power, of Helena, owned $46,000's worth of stock in this bank. Immediately after the legislature adjourned, W. A. Clark bought this stock of Senator Power at par, through the Montana National Bank, of Helena. The name of the purchaser was not disclosed to Senator Power by the bank. In February, 1900, a year after, the cashier of the Fergus County Bank knew that the stock had been purchased of Senator Power, but the stock book of the bank showed no transfer of this stock, and the stock was not even voted at the meeting of the stock-holders in January of 1900. Its identity had become lost.

In May, 1899, two months after the legislature adjourned, Senator Hobson paid off a personal indebtedness of $23,000 that he had long owed to his own bank.

It developed in the testimony, taken at Washington before the Senate Committee on Privileges and Elections, that as Halsey R. Watson, a political friend of Senator Hobson, was leaving the Lewistown post-office one morning, three days before Clark was elected, he met several Democrats and Republicans who were earnestly discussing the senatorial fight at Helena. One or two Republicans were assailing Hobson and asserting that he was going to vote for Clark. Watson stoutly defended Hobson against this charge. His friends laughed at him and told him he didn't know what

he was talking about. Dr. G. L. Hogan, who was in the party, said to Watson: "Come down to my office and I will show you." Dr. Hogan, at his office, drew from his desk a letter from John S. M. Neill, addressed to T. J. Johns, of Lewistown. Watson was familiar with Neill's handwriting. "Clark will be elected sure," wrote Neill. "We have nine Republicans who will vote for him when the time comes. They came high, but we got them." Hobson's name was mentioned by Neill among the others.

At the investigation in Washington, Neill was notified by Senator Chandler, Chairman of the Committee, to remain in attendance — that he would be called as a witness. The very morning Neill was called to the stand he returned his letter-book, which he had been requested to bring to Washington, to Helena by express. "If you have sent that letter-book back home since I notified you to remain in attendance as a witness," said Senator Chandler, sharply, "you send and get it back here" — and Neill promised; but when the final day of the hearing at Washington arrived, the letter-book was still missing, and it never was produced.

Eleven Republicans Cost $200,000

Ben D. Phillips was the State senator from Choteau County and, next to Hobson, the most active among the Republicans who worked for Clark. John S. M. Neill, in his letter to Johns, mentioned Phillips as one of those "who came high," but were finally landed. During the session, Phillips told State Senator Joseph R. McKay, of Custer County, that he could get him $15,000 for his vote. McKay was one of the four loyal Republicans who refused to join in the stampede for Clark on the last ballot. Phillips also told McKay that Representative George F. Ingersoll, of Custer County, had got $10,000 for his vote. One hundred and sixty-five thousand dollars was the price generally said to have been paid for the eleven Republican votes. This would be at the rate of $15,000 apiece. But Hobson and Phillips both received more than double this latter sum as brokers in the purchase and sale of their colleagues, bringing the cost of these eleven Republicans, which Clark had originally estimated would not exceed $5,000 apiece, up to $200,000 in round figures.

Thomas P. Cullen, the State senator from Dawson County, was a passenger conductor on the Northern Pacific Railway, in the eastern part of the State. After Cullen's election in the fall, he had an interview with W. A. Clark on his train, and promised Clark he would support him. Cullen told Whiteside that Clark at that time promised him $15,000 in cash, or $10,000 in cash and a permanent position on the new road, the San Pedro, Los Angeles & Salt Lake, which Clark was then building. Cullen voted for Clark, and sometime afterward went to work on Clark's Salt Lake road, and is still employed there.

B. D. PHILLIPS

It had been agreed between Cullen and Wellcome that Whiteside should hold Cullen's money. Before the arrangement was consummated, the Whiteside exposure took place. The night before the Whiteside exposure, and after the committee of investigation had been named, Cullen lay in bed in his room at the Helena Hotel, moaning and crying piteously. He sent for several of his friends and begged: "For God's sake, see that my name is kept out of that report." And it was.

B. J. Fine was a member from Virginia City, Madison County — the home of the road-agents and Vigilantes in early days. He admitted having received $5,000 from W. A. Clark; $2,000 during the session of the legislature, and $3,000 shortly after the adjournment. Fine claimed that he had rendered services for this amount of money, but was unable, when pinned down, to say what his services were.

One Man Who Didn't Sell

Edward H. Cooney, a representative from Cascade County, was a newspaper man, and connected with the Great Falls office of the Anaconda *Standard*. Thomas E. Butler had formerly been a newspaper man, but was now in the real estate business. Shortly after the Whiteside exposure, Butler came to Cooney's desk in the House of Representatives and told him he wished to speak to him privately. They walked down to the Helena Hotel, and

Butler said the Clark forces desired Cooney's vote and he had better "get into the band-wagon and get what was coming to him." Charlie Clark, he said, had agreed to put up $40,000 to improve the Butte *Miner*. Butler would be placed in charge of the *Miner*, and he was authorized to offer Cooney a salary of $2,500 a year, for five years, as circulation agent for the paper. This arrangement, Butler added, would not prevent Cooney from getting such additional cash bonus for voting for Clark as the parties might agree on. He told him that "all the boys from Bozeman got $10,000 apiece."

E. H. COONEY

Cooney replied that he lived at Great Falls, the home of Conrad, Clark's opponent; that he had been elected on a platform pledged to him. He could not go home and face his constituents if he voted for Clark.

Butler reported this conversation to Charlie Clark, who then told Butler that he "guessed there was no use trying Cooney out any further."

Cooney was offered $20,000 for his vote on several other occasions. Early on the morning of the day of Clark's election, Cooney rapped on the door of John R. Toole's room in the Helena Hotel. Toole was not up yet, but called to him to come in. Cooney was evidently laboring under great excitement, and beads of perspiration stood on his forehead. In his eye was the look of a hunted man.

"My God, this is awful," he said to Toole.

"What is the matter?" asked Toole.

"They have been on my track all night," replied Cooney. "They've shoved $20,000 in bills unde my nose; they've told me Conrad would have no use for me after this thing was over — that I might as well take the money. They have said a dozen times: 'Here is $20,000 — put it in your pocket; don't be a fool!' They've tried to reach my family — have seen my wife — I wish they would leave my family alone. They have hounded my brother wherever he goes to get him to use his influence with me. They won't let me rest. I have got to talk with some one."

"If you have come to me for advice," said Toole, "I'm not going to give it to you. I'm not going to have you or your wife say I stood between you and fortune. If you took that money and were charged with the crime, and I sat on the jury, I would not vote to send you to the penitentiary. I realize the conditions that men are under here. Here is W —. His ranch is mortgaged; his children are barefooted; his wife has been sick in the hospital, and he has not been able to give her the necessaries of life. You can't blame men for taking fortunes under such circumstances — when this town is making a virtue of bribery. You might as well arrest a hungry boy for stealing a ripe apple hanging over the fence. But suppose you take the money; you will have no better appetite, you will sleep in no better bed. If you want my opinion about this thing, I'll tell you that if you take that money, in time to come it will be a canker at the heart of things. Twenty thousand dollars looks big at first, but it doesn't last long — not as long as the stain of the crime. All these men who are taking money to vote for Clark will pay a penalty for it; they may not serve time, but that is only one form of punishment — there are others."

On the final ballot Cooney voted for Conrad, as he had throughout the session. After he had looked on at the terrible scene in which individual legislators were publicly pointed at, and their price shouted at them, he said to Toole:

"I am the happiest man you ever saw."

A City Hysterical with Guilt and Greed

While the representatives of the people were thus being bought up singly and in delegations, public feeling in Helena had

reached the point of hysteria. Clark's campaign was carried on with the fanaticism of a holy war. The women of the capital threw themselves into the fight with intemperate, intolerant fervor. They carried on their crusade in their drawing-rooms, at their dinner-tables, and at church functions. They lobbied and entertained. They thronged the galleries of the State House.

The business men of Helena were almost a unit in declaring that bribery was a necessity, and in defending it. Hundreds of school children, when the corruption was at its height, might be seen wearing Clark badges on the streets. The man who stood out against bribes found that his old friends held aloof from him. His wife was often inconsolable. He became conscious of a lack of sympathy, of a curious isolation on the streets and at his club; found himself marooned upon a cold eminence of virtue.

H. H. GARR

The purchase of votes was talked about almost as freely as the weather, almost as familiarly as the markets. The members of the legislature openly discussed the sums they had been offered; what they had been promised, and what they had received. The morning salutation with everyone was, "What's the price of votes to-day?"

A warm wave of prosperity had swept over the city, weakening and debasing everything it touched — like the enthusiasm which accompanied it. Struggling professional men stepped into positions commanding large salaries; grocers became bankers; railroad employees became mine operators; clerks and bookkeepers wore diamonds and bought wine. Rolls of greenbacks were thrown over hotel transoms into men's rooms. A woman who let lodgings to members of the legislature, when she was making up the beds one morning, found ten one-thousand-dollar bills under the mattress.

On January 26th, two days before the final ballot, the grand jury called by Judge McIntyre reported. The proceedings of the grand jury were among the most brazen in the whole shameless trafficking.

Grand Jury Said to Have Been Bought for $10,000 Each

It was publicly rumored that each member of it had received $10,000, and the foreman $15,000, although the truth of these rumors was never proved. It was said that the grand jury would not have dared to make an adverse report in the face of the sentiment in Helena. Besides, everybody felt that Clark was going to spend the money anyhow, and why should the grand jury be neglected when everyone else was getting his share?

"We have carefully weighed all the evidence submitted to us," read the report of the grand jury, "and while there has been some evidence which tends to show that money has been used in connection with the election of a United States senator, it has been contradicted and explained in such a way that all the evidence introduced before us, taken together, would not, in our judgment, warrant a conviction by a trial jury."

Senator Whiteside Unseated

On the 26th day of January, two days before the election of W. A. Clark, the Senate decided to unseat Fred Whiteside and seat his Republican opponent, Geiger.* At the joint session on that morning, Whiteside, standing in front of the Speaker's desk, said:

"I understand that the fiat has gone forth, that this is the last day I am to be a member of this body; and if I failed to express myself at this time, I feel that I would be false to myself, false to my home, and false to the friends that have stood so manfully by me.

"Let us clink glasses and drink to crime. The crime of bribery, as shown by the evidence here introduced, stands out in all its naked hideousness, and there are forty

*Shortly after the election in the fall, a contest was instituted by John H. Geiger, the Republican opponent of Whiteside in the election of 1898. Whiteside had been elected by about eight majority. This contest was pigeon-holed in the Senate until after the Whiteside exposure, when the Clark forces, who were in the majority in the Senate, took up the contest and counted the ballots which had been sent for. Montana voted under the Australian ballot system, in which the voter checks by means of a cross opposite the name of the candidate he desires to vote for. In the recount of these votes in the Senate, the committee found seventeen ballots where the cross was after the name of the candidate instead of before it, as required by law. When the committee came to the first of these seventeen ballots, the cross was to the rear of Geiger's name, but the intention of the voter was apparent. He had intended to vote for Geiger. This ballot was, after some dispute, counted for Geiger. When they had counted clear through the ballots, it was found that of the seventeen erroneous ballots, a large majority were for Whiteside. The committee then reversed its previous ruling and discarded all these seventeen ballots, counting Whiteside out.

members seated here who, to-day, are ready to embrace it. And what is the motive? Answer me that question, you who sit with bloodless lips and shifting eyes — answer if you dare.

"There are some features of this senatorial contest which would be ridiculous if it were not for its serious import to the people of this State. It has reminded me of a horde of hungry, skinny, long-tailed rats around a big cheese. Something falls in the room." (Whiteside here referred to the morning of his exposure.) "There is a panic and stampede, and only seven have the courage to remain. As time goes on, their courage gradually returns; they smell the cheese, and one by one they timidly come out of their holes until the vanishing cheese is again surrounded and we can hear the chorus of 'Who's afraid?'

"I am not surprised that the gentlemen who have changed their votes to Clark recently, should make speeches of explanation, but I would suggest that their explanations would be much more clear and to the point if they would just get up and tell us the price and sit down.

"Mr. Garr stated in his explanation that he went over to Flathead County to consult with his constituents; but he might better have told the truth and said that he went over there to deposit a package of Clark money with D. R. Peeler. Deny it, sir, if you dare!" — pointing a finger at Garr.

Garr, a man past middle age, was seen to rise slowly in his seat, his face now red as fire and again a sickly, yellowish white.

"You are an infamous liar!" he shrieked. "You are a perjurer!"

Amid the uproar that ensued could be heard loud cries of: "Give it to him, Whiteside," "Give it to him, Garr," and the hands of many members went to their hip pockets. There were yells, screams, applause, and hisses, and one woman in the gallery fainted.

After the roll on the vote for senator had been called, Representative Garr broke down and cried.

The Terrible Day of Clark's Election

The morning of Saturday, January 28th, dawned crisp and clear. The sunlight flashed on the hills surrounding the capital, making the great combs on the mountain-tops glisten like diamond crescents.

A funeral pall hung over the Daly forces, while the Clark men, drawn and haggard from the strain of the long struggle, found relief in the fact that the die was cast and no power on earth could stay Clark's vindication. W. A. Clark's face was like that of a man crucified by suffering. His red eyes looked like the windows of a building within which a conflagration raged. Men who had barely slept for days and weeks had retired toward morning to snatch a few hours of rest. The wreck of battle was everywhere. Pencil memoranda, on which the prices of votes had been calculated, lay strewn upon the lobby floor of the Helena Hotel. The porters who were swamping the floor as the last weary stragglers were retiring to rest, picked up these bits of paper that told of reputations irretrievably lost — of compacts whose shame would haunt men year by year.

How would that courageous band of Daly men act their part now? They were sullen, uncompromising, defiant foes. Like sailors who know the ship will sink within an hour, they stood with their arms folded. It was strange that on this morning no Clark man felt elation. It was not in the air. The battle had been too bloody. They had these poor voters now, like rabbits in a warren, and would slaughter without mercy; but there was no exultation.

As early as eight o'clock, crowds of men and women could be seen moving toward the temporary capitol. At first they came in broken, irregular lines, and then in streams. Not one-twentieth of them could gain admission to the hall, but they stood outside the windows of the House of Representatives, and the streets were impassably blocked. Clark did not appear at the legislative hall, but John B. Wellcome, Charlie Clark, A. J. Steele, John S. M. Neill, and A. J. Davidson were there. The joint session met, the Senate filing in as the hour of ten arrived.

The first order of business after the reading of the minutes was the balloting for Senator. The roll was called amid breathless excitement, and the same vote was recorded as on the previous day. Then for the first time in the session a second ballot was demanded. E. C. Day, the leader of the Clark forces on the floor, moved that the assembly take a second ballot. State senator Stanton, of Cascade, a Conrad Democrat, moved as a substitute that the joint assembly dissolve for the day. The clerk called the roll on the substitute, and it was

lost by thirteen votes. The Clark forces had won their first open victory during the session. The roll on the second ballot then began.

Beginning of the Republican Stampede

When the name of State Senator John H. Geiger, who had been seated in the place of Whiteside two days before, was called, he rose from his seat and marched to the space in front of the Speaker's desk. Geiger was the member who afterwards admitted he had found an envelop containing $1,100 in his room which had been thrown over his transom during the night. His was the first Republican name on the roll, and his action would determine whether the Republicans had gone over to Clark or still stood true. Geiger's hair had been freshly oiled and plastered down, and he had all the appearance of one who realized he was to play a rôle that would become historic.

"Before casting my vote, I would like to have your attention for a few moments," he said. "I will not attempt to make any speech — if I wanted to I could not do it. But I realize that what is taking place in this, probably the most extraordinary assembly that has ever assembled on the American soil, is a grave and serious thing. I have studied this matter over and have come to a conclusion of my own. I stand here under peculiar circumstances. I am proud to say I belong to the minority of this body. The first vote I cast in this assembly, I cast for what I considered one of the leading young war-horses of the Republican party; but now the time has arrove — (laughter and shouts) — arriven — (uproar of laughter, after which Geiger desisted from the attempt to gather up his scattered sentence) I believe when I cast my vote I am only doing what I ought to do, and I say to you now, and I defy the wretch, or whoever he may be, man, woman or child (continued laughter), that I am about or going to be doing otherwise. I say to you, gentlemen, that I am doing this with hands clean, pockets empty (Geiger dramatically tapped his pockets amid increasing volleys of laughter) and conscience clear, and I am also doing it at the mandate and request of the Republican caucus, in which I did not vote. I now cast my vote for W. A. Clark, of Butte."

Geiger closed his speech amid applause, hisses, and cries of "traitor."

When the name of Marcyes, whose vote had been negotiated for $10,000, was called, he read a petition signed, he announced, by many Republicans of his county, praying him to vote for W. A. Clark.

"The Red Flag of the Auction-Place"

Representative E. D. Matts was next on the roll-call. In the legislature of 1893, he had eloquently denounced Clark as a bribe-giver. So far he had not once spoken during the session. As he rose everyone gazed expectantly in his direction.

"I have refrained from saying anything upon this contest during the entire session," he began, "and my sole reason has been that it would be utterly futile for anyone to talk upon the question of bribery if the men are here to sell themselves. There has been but one practical question, and that is: *How many men are purchasable in this legislative assembly at any price?* I did not think there were as many as there are. I have always opposed the election of Mr. Clark, because I believe him to be a bribe-giver; because his methods are vile and venal. If he is not a bribe-giver, then Senator Clark of Madison County and Senator Myers of Ravalli County and the others are perjurers. There are $30,000 in the treasury of this State that belong to somebody.

"I want to go on record as saying that this man cannot legally be elected, because you cannot elect a man by bribery and corruption, and have him legally elected. It is for the Senate of the United States to say whose $30,000 this is. I want further to go on record as defying all the millions Mr. Clark possesses. I am sorry to see that flag in its place. It would be better to put in its stead the red flag of the auction-place. You have not heard one third of the testimony. You will not listen. There is evidence connecting many members of this body directly with the crime of bribery. This must be exploited to the world, and the honor, the integrity and the credit of the State must be disgraced by such investigation. I am sorry to see this man go to the Senate of the United States, like Richard the Third, over the bodies of disgraced men. I am sorry it is necessary for the manhood of Montana to be dishonored in order that any man may attain his end."

As the names of the various members were called, applause and hisses were heard. The excitement became intense. Charges of bribery were bandied back and forth

upon the floor. The presiding officer rapped again and again for order, but in vain. As the men voted they were hissed and in one or two cases the price the voter had received was shouted at him in round figures.

The Grim Humor of the Vanquished

When the name of Miles Finlen (Marcus Daly's old friend, who had worked with him when both were miners in Nevada) was called, Finlen shouted in stentorian tones:

"W. A. Clark—"

There was consternation and panic among the Daly cohorts, and the friends of W. A. Clark broke into wild shouts of exultation. After the tumult had subsided, Finlen added in tones of derision:

—"of Madison County," voting for the State senator who had been instrumental in exposing the corruption of his namesake from Butte. Tumult upon tumult swept the floor and galleries. Numbers of men upon the floor were armed, prepared for any emergency.

The name of the Speaker of the House, Henry C. Stiff, was called. Stiff said:

"I am not so vain as to suppose that anything I may say at this time will change the result of this ballot. I do not believe if an election is declared here to-day it will be a valid election. I know there are some men here who are honestly casting their ballots for William A. Clark, — some of the Lewis and Clark delegation, — because of the unquestioned fact that the sentiment of this county, whether it be right or wrong, is in favor of his election. There are others voting for him, no doubt, because of their association with him in years long gone by, when they knew him to be a better man than he is to-day. Those gentlemen are so fearfully in the minority that they can hardly be taken into consideration. The question has been asked on this floor and elsewhere in this city: How do you actually know that bribery has been resorted to in this election? I say that I know this much: the only reason that I myself am not casting my vote under a bribe is because I refused to accept it — more money than I ever expect to have. All the millions that W. A. Clark possesses, in the face of these facts, could not induce me to cast my ballot for him. I can face my constituency and say that corruption, the gross corruption of this legislature, has never touched me."

The roll-call was finally finished and the clerk announced the vote for Clark as fifty-four. Four of the Republicans remained true. Eleven had gone over to Clark, and his election was declared by the presiding officer. Then came one wild, prolonged cheer from the galleries, and the crowd filed into the street.

Helena turned out in force that night to celebrate the success of her candidate. Handbills were distributed during the afternoon. They read:

THERE WILL BE A HOT TIME. GRAND CELEBRATION TO-NIGHT TO ENDORSE THE ELECTION OF HON. W. A. CLARK TO THE UNITED STATES SENATE. PROCESSION. FIREWORKS. MEETING AT THE AUDITORIUM. EVERYBODY WELCOME.

At eight o'clock, the procession formed on upper Main Street, and soon after started on its march. For days the saloons and hotels of Helena had been ordering by telegraph quantities of champagne from St. Paul, Minneapolis, Spokane, Seattle, Portland, and San Francisco. All during Saturday afternoon and night most of the bars of Helena were free to the populace, and no one was allowed to order anything but champagne. Clark's champagne bill alone for that night was said by one of his leaders to be $30,000. Schoolboys were among the patrons of the bars.

Senator Clark gave a banquet for his friends and supporters at the Helena Hotel on February 7th, and again there was intemperate revelry. Neither Clark nor his friends ever imagined for a moment that the fight would be carried on to Washington. It was an unwritten law in the feud to accept the issue of every clash and abide by it stoically. Both Clark and Wellcome had been led to believe by assurances received from the Daly forces that the feud was finally over, and perhaps this fight would have gone no farther but for one unfortunate declaration made by Clark himself: the statement that the $30,000 produced in the Whiteside exposure was Daly's money.

"You can't pass a charge like that by," Daly said when he returned from New York in February. "He's gone too far this time. He said I put up that money. Let him prove it. We'll take the thing to Washington."

TO BE CONTINUED

THE HANGING OF MARY DYER*

BY

BASIL KING

AUTHOR OF "THE LAST LOVE FEAST," ETC.

ILLUSTRATED FROM PAINTINGS BY HOWARD PYLE

ON reaching Providence we went direct to Richard Scott's plantation. It was near nightfall, and we feared lest Mary Dyer should be already fled to Boston. We kept to the river, so as to avoid the Town Street; and thus, without detection, we drew toward the landing.

It was middle May, a warm season, and a silent, heavy-scented eve. The sun had set a full half-hour agone, and now the further shore of Narragansett Bay was barely to be seen, against a sky of many-colored burnings, like the far-off fires of Judgment.

"My mother would take that for a sign," said Hope Dyer, pointing to the west; "I pray she may not see it."

"Thy mother looks too far into Heaven to heed the light that shines outside."

'Twas Jeffrey Pryde that spoke — he who had convinced Mary Dyer of Friends' principles and was now late come among us on the Quakers' consecrated ship, the *Woodhouse*, their Noah's Ark, as they called her.

But late as he had come, 'twas no secret among Friends that he had won Hope Dyer's heart, and that the two were betwixt Yea and Nay.

Nor was it strange. They were both young, both of ardent temper — she the home-bred maid, and he the stranger knight. Moreover, they were both out of the common handsome — she slight and supple and not too tall, like a young Rhode Island sapling: he long and lithe in the limb, a man all fire and motion, not still and given to meditation, like so many of their sect, but eager, wordy, and ever readier to take the Kingdom of Heaven by violence than in any other way. Not two weeks was he landed from the *Woodhouse* before he was the idol of the Bay from Providence to Newport. Mary Dyer had told of him beforehand, and he had not belied her praise. Quaker and saint though she were, she had not been able to refrain from speaking of his blue eyes, and smiling mouth, and hair of such a weight and glow of gold as well-nigh to outdo Absalom's.

In beauty of body and eloquence of speech Jeffrey Pryde was all that we had heard, and more. Of learning he had little; but in tongue-work and eye-work and heart-work we had never seen his like, nor ever did see, not even when George Fox himself came preaching in our barns.

From William Dyer, who had small sympathy with Friends (his wife having had too much), to Samuel Gorton who could never stomach any other man's religion but his own, all were converted to the good looks and honeyed smile of Jeffrey Pryde.

For me, if I never loved the man, I trust I did not hate him, never denying that he had merits, but always believing that his house was built upon the sand. Yet, had it been falling into the sea itself, I should have been none the less glad of his help in the business we had in hand that May evening of 1660.

'Twas Samuel Gorton (ever hand in glove with Friends) who had passed me secret word that Mary Dyer had slipt her husband's leash, and was even at that moment on her way toward Boston. William Dyer was my trusted friend, and for Hope, his youngest — but of that anon. I was old, and she was young, and Jeffrey Pryde was there. 'Tis easy to submit when the heart is on the further side of forty. Suffice it, then, to say that while I wanted to be mixt in none of Friends' affairs, yet for that holy maid I would have walked hand in hand with the Grand Turk or Pope of Rome himself.

So when Samuel Gorton passed me the secret word (betraying Friends' confidence for a righteous end), I went incontinent to

* The hanging of Mary Dyer on June 1, 1660, was, perhaps, the most important single incident in the fight for religious freedom in America.

confer with him at Warwick. There we took counsel, the upshot being to say nothing to William Dyer, who was already half distraught, but to labor with Hope and Jeffrey Pryde to intercept Mary Dyer at Providence. If any human voice could counsel her 'twas Pryde's. If any heart could have power over her 'twas Hope's.

So, on a day, Gorton and his wife went down to Portsmouth to beg of William Dyer the favor of the maid's company for a few weeks' sojourning at Warwick.

"Take her," said the father, "but be precious of her, and let her not come near Friends. They who have stolen the mother may steal the child. The Lord's hand has been heavy laid upon me. He has given me the best and yet the most wilful woman man ever had to wife. I cannot say His Will be done, for that I know not what it is. What with my wife declaring the Lord bids her go again to preach Friends' principles in Boston, and John Endicott affirming that the same Lord bids him hang her if she come, I am clean perplexed. When she came down from her gallows last year at Boston, I became surety for her that she would no more cross the confines of the Massachusetts Colony. Now I have wintered her safe in Long Island; but I live in dread lest she may be at her practices again."

Howbeit, he suffered the maid to go, and with Gorton and his wife she set out for Warwick. There a junction was made with Jeffrey Pryde and me, and in the morning we two — Pryde and I — with the maid between us, set sail up the Bay to Providence.

By this time we had learned that Mary Dyer, having secretly crossed from Shelter Island, had passed up the old Pequot trail through Narragansett. At Providence she was to lie at Richard Scott's, but whether she had come or gone we knew not till we ourselves arrived at the plantation.

Therefore, having once touched land, I left the boat for Jeffrey Pryde to see to, and hastened with the maid across the meadow, toward the dwelling. Dusk as it was, our approach was perceived, for so soon as we came before the door, it was opened without our knocking.

"The God of peace be with you," said the voice of a woman, who had taken us for Friends. Then, seeing her error, she said, "I fear ye cannot enter. There is a meeting of the Lord's people here to-night. If ye seek shelter, go on to the plantation of Roger Williams or Chad Brown."

In the half-light I knew the woman to be one Betty Burrows, she that was servant to Hored Gardner of Newport, and had been, in the previous year, publicly scourged, with her mistress, for being found within the borders of Massachusetts Bay, they being Friends. The maid was by nature but a bouncing country wench, on whom her new crown of martyrdom set something awry.

"We seek not shelter," I replied, "we seek this maiden's mother, Mary Dyer."

"I can admit none but Friends," the wench repeated. "I have already hazarded my life unto death, as thou mayest have heard tell. It is no secret in the colony how I was scourged — Oh, la, Master Pryde!" she cried, with a change of tone. "Whoever thought to see thee here to-night! Thou art more than welcome, for there is Lord's work a-doing."

Jeffrey Pryde had now strode up through the gloaming.

"The God of peace be with thee," he said, taking the girl's hand, and looking at her with that blue, love-making glance which was the very sunshine of Friends' meetings.

"Oh, la!" said the wench again, setting herself to curtsey.

"See thou do it not!" cried Jeffrey Pryde, raising his hand in warning. "Outward honor is not for man. What questionest thou with these?"

"They be not Friends, and I am ordered ——"

"Admit them none the less. Place them where they may see, but not be seen. I will join myself to the Lord's people."

He spoke as a commander, and, pushing past the wench, entered the house. Taking Hope Dyer by the hand I followed him.

We found ourselves in a living-room of the kind common to all the houses in the plantations, but more spacious — Richard and Katharine Scott being people of high family and large substance, though that was little thought of among Friends. The room was dark, but a dim light streamed through an open door from a broad, square entrance-way, into which the stairs descended from the upper chambers. In the centre of this hall was a table on which were a Bible and three burning candles. Around the apartment Friends were already seated.

In the darkness of the living-room Hope and I sat down in a far corner, where we had

sight of all that passed beyond. Betty Burrows returned to her station at the window. Jeffrey Pryde strode into the assembly and sat down. At his appearance there was some commotion, but not much was said.

By the flickering candle-light I could see most of those who had come together. Richard Scott was there, a small, gray-haired, wiry man, with a face all impatient zeal, as though the Lord's time could not come quick enough. Katharine, his wife, was large and mild, tarrying the Lord's leisure with a saint-like gentleness. Like to her father was Patience Scott, she who, though but eleven years of age, had been imprisoned last year with Mary Dyer at Boston; a small, thin child she was, with yellow eyes, and yellow hair, and a look unnatural piercing, as though some elfish sprite were caged in a human body. Hored Gardner, of Newport, sat full before me, a comely woman, young, but aged before her time by the great suffering she had undergone last year at Boston. Others there were whom I also knew, but not so well; and all sat silent, mostly with eyes downcast, in a manner to recall the meeting of the Church upon the day of Pentecost.

Suddenly there was a stirring. Hope grasped my hand, and her breath came hard. On the stairway we saw Mary Dyer.

She came down slowly — simple, calm, and no sign on her of her wild journey up through Narragansett.

How shall I write of this woman? In what phrase shall I set forth her separation from the daily life of men? That she was most comely, all men know. That she was noble in mien, mild in manner, gentle in speech, is familiar matter in our colonies. But there was something else, something which cannot be writ down in words, but of which none was unaware who ever came into her presence. Woman-warrior, woman-mystic, woman-saint! — some grace flowed from her which made her passage among men a very benediction.

As she came down the stair, her air was not that of a simple colonist like any of ourselves, but of some strange visitant from far-off spheres. In feature she was neither young nor old, but as if already ageless and immortal.

There was neither word nor motion as she entered the company, and the silence lasted till she brake it.

"The spirit of the Lord is upon me."

Her voice was low and wondrous thrilling. All eyes were turned on hers. If she looked at any, 'twas at Jeffrey Pryde. Hope held my hand, catching her breath.

"Before I suffer," said Mary Dyer, her words falling like music on that breathless stillness; "before I die, I am moved to tell you why it is that I, a wife and mother, have loosed myself from all the ties of earth, to be bound with those of Heaven."

"Mother, Mother," whispered Hope, but I held her tight and calmed her.

I saw Jeffrey Pryde lean forward, his blue eyes aflame and his lips parted, as though it were hard to hold himself from speaking.

"For many years, as some of you may know," Mary Dyer went on, "I was a thirsty seeker after God, wandering far but finding Him not. Brought up in England, in Charles' time, in what they call their Church, I was as one who tries to warm himself in a winter sunshine; all was left cold within me. Then came Oliver with the new teachings in which we put our trust; but presently we found that we had only set Dagon in the place of Molech."

"Woe to all dumb idols," cried Betty Burrows. "Woe to all steeple-houses, and the jack-priests therein!"

"Then it was," said Mary Dyer, "that I moved my husband to go up from Egypt and seek the Promised Land. We had heard from many of the spiritual republics founded over seas, and so, forsaking all, we came to Boston. There, too, at first, there was much promise of true religion. But no long time had passed before I perceived that all were in spiritual slavery. Their priests were but blind leaders of the blind; their prophets prophesied falsely, and the people loved to have it so."

"Lord, open their eyes that they may see," cried Richard Scott.

"Seeing, they see not, and hearing, they hear not," quoted Patience Scott, in a piping, childish treble.

"Nevertheless," continued Mary Dyer, "I forsook not their steeple-house, nor failed to converse with many on religious things. One there was especially, Priest Wilson by name,* a great light among them, with whom I had many hours of pleasant, spiritual talk. Blind he was, no doubt, and yet not wholly so, for ofttimes he comforted me in moments of my soul's affliction. And yet, when I asked for bread, 'twas but a stone he gave me; when

*John Wilson, minister of the First Church, in Boston.

I sought for a fish, to stay my fainting spiritual life, he had nothing to offer but a serpent."

"Learn not to think of men above that which is written," cried Jeffrey Pryde.

"Yea, Friend," replied Mary Dyer. "I have tried to learn that lesson. Now I lean on none but on the Lord."

"Put not your trust in any child of man," said Katharine Scott, gently, "for there is no help in them."

"True, dear Friend," said Mary Dyer, "and 'twas chiefly for that reason that I withdrew from Priest Wilson's company, throwing myself wholly upon God."

"He stood by and saw me scourged, Priest Wilson did," cried Betty Burrows. "If they had not ceased to ply their knotted whip, I should e'en now have been among the angels."

"Later," Mary Dyer went on, "my husband and I went back to England. Not yet having found spiritual peace I returned to the worship of the steeple-house. And indeed I bless God for it, for 'twas thus that I first heard Jeffrey Pryde. I rely on no man, but never will I deny that 'twas he who first brought me to the light. I had gone on a First Day to the steeple-house (church, as they call it) at Brathay in the north country. The priest had spoke his bit of prophecy, and the shepherdless flock were about to leave the place. Suddenly a voice said, 'Men, brethren, and fathers, hearken!' I turned in my seat, and at the door saw him who is now with us, his face like that of an angel. If, dear Friends, an angel had in very deed spoken to me, I could not have better understood the true Word of Life. In the afternoon of that same day, a great company met on a hill called Loughrigg, which stands, as some of you may know, at the head of the lake named Windermere. Oh, blest day of light and peace! How can I forbear, as I take my last farewell of earthly things, how can I forbear to bring that picture back! The August day, the steep hillside, the sheep browsing amid the fern, the angel face, the prophetic voice! and, far below, the long, blue, broken-shored lake, reflecting the calm face of Heaven! There are moments when God Himself is well-nigh visible in the world, and one such was that. One such I have known since then. 'Twas in the autumn of last year, in Boston, when, as ye know, with the halter round my neck, I climbed the ladder which, I surely thought, would lead me up beyond the stars."

The tears stood in her eyes. Her face was radiant, as though some unseen light were shed upon it.

"Mother, Mother dear!"

'Twas Hope's stifled voice, but again I soothed her.

"Let her go on," I whispered. "Presently thy friend, Jeffrey Pryde, will speak, and dissuade her from this mad journey."

"From that day I saw my course before me," Mary Dyer began again. "That which I had found, I must make known to others. My husband had returned to Boston, and I resolved to follow him. There was my home, there were my children, there were the souls who had first need of me. I thought of the many with whom I had conversed in days gone by; I knew their spiritual thirst. Now I was coming with the wine and milk which were without money and without price. Oh, how I longed! Oh, how I hasted! The winds could not blow my vessel quick enough. My zeal outstripped the very birds, the very storm. For me, as I well knew, there was no longer to be in this world a place as wife, or a work as mother. From that I was, as it were, caught up into the clouds. Mistake me not, dear Friends. I have never ceased to love those to whom God had given me. Only, I had other work to do. I was called from them by an exceeding urgent calling. From the moment when I heard the Voice of God, I was consecrated to His highest service, and wifehood and motherhood must give way."

"Blessed above women!" cried Jeffrey Pryde.

"Yea, Friend," she made answer, proudly. "I am indeed blessed, in that I have been counted worthy to suffer for my Lord. And yet I have not suffered. Ah, no! It has been too sweet. In imprisonment it has been as though I were in Heaven. In rough handling by men it has seemed to me as though the Lord's own touch caressed me. In taunts and words of scorn I have heard the very hymns of Heaven. I declare to you all that never did man or woman know greater joy that when last year I went, with the Lord's two saints, to what I thought was to be my death. Why did they bring me back again? Why did they not let my soul break forth? And yet I know. My work was not done. I see it now. My task is this — this — this, that lies before me."

Her tone was rising. The gentle manner of her speech was giving way to exaltation.

"Ye know," she said, with an opening gesture of the hands, "ye know the manner of my home-coming. Ye know how the souls, whom I had thought athirst, received the living water. They had already passed their bloody laws, and I was first imprisoned, then expelled beyond their borders upon pain of death. Death, death, O God! Did ever any messenger of Thine fear that? Let Boston priests fear death! For us 'tis only a new rapture. Ye know how I returned to preach the Word again. Ye know how, with William Robinson and Marmaduke Stevenson, I was condemned to die upon the gallows they had set up in their common fields. Hand in hand all three, we walked from the prison. When the hour came, my brothers went into Heaven before me, and at the last moment I was — spared! Spared because I was a woman! Did ever any hear the like? Coming down from the scaffold I was shamed to think that I was living while my brethren had died. I went to my husband, I went to the shelter he found for me, as into exile, as into a country further from my Lord."

Suddenly a new power seemed to come upon her.

"But I have been reserved for this," she cried aloud, standing with outspread arms. "I have been reserved for this — to free the land from spiritual tyranny, to free the land from blood, to gain for all who are here to-day, and all who are yet to come among us, the right to believe in God, and serve God, and preach God, in full religious freedom. Scourgings have not been enough; imprisonments have not been enough; Robinson's death and Stevenson's death have not been enough; it needs also mine. Yea, Friends, it needs mine. Then shall this people's eyes be opened; then shall they see and know. Once let the land be moved as a woman's death will move it, and the work will be nearly done. Oh, do not think me wild! Do not call me crazed. I know that, if I willed it, I might live. I know I could go back to my peaceful home again. But be sure of this, as I am sure of it, that, fleeing, I should carry with me all that is best in this dear country's freedom; that, hidden in the seclusion of my home, I should bury with me our people's right to serve their God. I fight not for Friends alone. I fight for all. I die to gain the liberty not of to-day, but of all the future centuries. I am called to this. I have no choice but to go."

"And blessed be thou of the Lord in going," cried Jeffrey Pryde, springing up. His blue eyes shot flame; his spirit was enkindled with Friends' zeal. I saw that he had failed us. "Go forth, go forth," he went on, in that sort of taking with which he was accustomed to address the meetings. "Heed not the tempter's voice bidding thee to stay. Go, where they will lift thee up ——"

But Hope Dyer sprang from my side. In an instant, before I could say her yea or nay, she was in amongst their company.

"Peace, peace, man," she cried out, "or never speak the word of love to me again. My mother shall not die, my mother must not die."

By this all were on their feet and in a great commotion.

Mary Dyer seized the maiden in her arms, and, for once, forgot that she was called to more than motherhood.

But to all her daughter's pleadings the woman only said, "My child, I am chosen of the Lord. I love thee well. I love thy father, and all that are at home. But I am already as one dead. Had God taken me by sickness thou wouldst have mourned for me, but not rebelled against His Will. Think of me as one taken by His Word. Think of me as one whose soul could no longer stay, because the Voice of the Beloved called it home."

And indeed, as the night wore on, and the strange woman talked always thus, sweetly but without sadness, gently but without uncertainty, she ended by leaving the girl half-convinced. Little by little Hope pleaded more faint-heartedly, till at last, when the two had prayed together, the maid put up no more petitions that her mother should return.

"I, too, will go to Boston," cried out Jeffrey Pryde. "The day that Mary Dyer mounts the scaffold I will mount it, too."

"See that you do it, then," I said, roughly, having lost my temper at his desertion of our cause.

"I pray that thou mayest see it, too."

"Then," said I, in heat, "there will be a traitor the less in Rhode Island. Having come here to save yon woman, you have urged her on to her destruction."

"We are doing it for thee, dear Friend."

"Do not 'dear Friend' me," I cried. "I am none of your sect, nor want to be."

"My last prayer upon the scaffold shall be that thou mayest live to belie those words."

"'"I HAVE BEEN RESERVED FOR THIS—TO FREE THE LAND FROM SPIRITUAL TYRANNY"'"

More was said in the same strain, which is not worth the setting down. Suffice it to say that before the meeting ended 'twas understood that Mary Dyer and Jeffrey Pryde should begin at dawn their martyr's pilgrimage toward Boston. All the concession we could wring was that Hope Dyer should not be parted from her mother, and that I should go with them to protect the maid. With that I left them, and went to pass the night at Chad Brown's plantation.

No two lovers ever went through summer woods more joyfully than Mary Dyer and Jeffrey Pryde rode along the trail to Boston. All day long did they flash back and forth the answer and the smile. It was plain that she was in an ecstasy; it was no less plain that his spirit burned from hers. I knew the man; I knew his kind. Not without virtues was he, not without some strength; but his religion was like a light reflected in a mirror, making a great burning, while the true lamp is elsewhere. His was a nature lit from others. With the cold he was ever cold; with the zealous, zealous; and now with Mary Dyer about to die, he would hear nothing but that he must do the like. So was I the less surprised with what befell at Boston, when they were condemned.

On our arrival, I found, with a kinswoman of my own, a place where Mary and Hope Dyer could lie; but with cock-crow the former was out upon the common fields. There she and Jeffrey Pryde preached Friends' principles to young and old.

Immediately, there was great excitement in the town. From every quarter the people came to see the two fanatics who had not only put their lives in jeopardy, but had forfeited them to the law. Before nightfall John Endicott had clapped them both in prison.

"Yea, joyfully I go," said Mary Dyer to the officer, who came out to apprehend her.

"I, too, go," said Jeffrey Pryde, "as to the threshold of my Father's home."

Ten days later they were brought before Endicott and questioned.

"Are you the same Mary Dyer that was here before?"

"I am," she answered.

"Do you call yourself a Quaker?"

"I am reproachfully so-called. I am of the Religious Society of Friends."

"Sentence, as you know, was passed upon you by the last General Court. You were then condemned to die. Your life was spared at the last moment——"

"Because I was a woman," she broke in, "and ye dared not hang a woman for her faith, for ye feared the common people's wrath. Tell the truth, man. Sit not there in judgment upon me, when at heart thou art thyself a wrong-doer and a coward."

The Governor flushed, but went on without show of heat.

"Your life was spared at the last moment, at the petition of your son, and on the surety given by your husband that he would keep you outside the borders of our jurisdiction. Now you have broken the conditions, and sentence must be carried out."

"I have come hither for that purpose. The Lord hath sent me here to die like Stephen at the feet of Saul, that ye may all see that ye do but kick against the pricks."

"Then prepare yourself for to-morrow at nine o'clock."

"I am even now prepared. My soul hasteth to the moment, in order to come the more quickly to the hour of thy contrition."

As she proceeded to speak further of her call, the Governor lost all patience.

"Away with her. Away with her," he cried.

"So said the wicked Jews," called Jeffrey Pryde, "when they demanded Barabas in the place of Christ."

"Who is this jack?" the Governor asked, as the other fanatic was brought before him.

"My name is Jeffrey Pryde."

"Then 'tis the pride that is like to have a fall."

"Yea, friend, a fall out of thy hands into God's."

"Do you stand covered before me? Remove the hat."

"I uncover not to man. I keep my homage for the Lord."

"Uncover him," said Endicott, whereat an officer carried out the Governor's command.

As he stood there, his golden hair all a tousle of curls, his blue eyes shining, and a smile of heavenly sweetness on his lips, there was a murmur in the Court. Some there were who muttered that 'twas a pity such a fair-faced lad should die. Perhaps I wrong him, but methinks he read this admiration of his beauty, and found pleasure in it, even as he stood face to face with death.

"Mark ye, good people," cried Jeffrey Pryde, passing his hand through his heavy locks, "it is for this, for not uncovering, for not bowing with reverence before yon

"'THE LORD HATH SENT ME HERE TO DIE LIKE STEPHEN AT THE FEET OF SAUL'"

whited wall, that we Friends are condemned to die. Had Robinson and Stevenson taken off the hat to him last year, he would have spared their lives. He who sits in yonder seat cares for one thing and but for one, in all this universe. 'Tis not for Truth; 'tis not for God; but 'tis for Bloody Endicott."

Whereat the Governor flew into a great stew of anger, and made short work of Jeffrey Pryde. In a few minutes sentence was delivered against his life.

"You shall be taken out with Mary Dyer," said the Governor, very red in the face. "You shall be led to the common fields at nine o'clock to-morrow, and there you shall be hanged, after the unhappy woman who has gone from here, and who, as I suspicion, is less your accomplice than your victim. Notwithstanding, an' you renounce Friends' principles, as you call them, betwixt now and then, you shall be spared."

"When I renounce the air I breathe, when I renounce the mother who bare me, when I renounce the soul my Saviour hath redeemed for me, I renounce the principles of Friends."

"Very well, very well," said the Governor, as he rose. "Have it your own way. You will not expect me to set more value by your life than you do yourself."

With that the trial ended, and Jeffrey Pryde was led away.

I had now to carry the tidings to Hope Dyer; but before doing so I sought the Governor in a private chamber, to beg that the prisoners might be pardoned and sent back to the Providence plantations.

Endicott, whom I knew slightly, received me testily, but without ill-will.

"Did ever anybody see a magistrate flouted so?" he exclaimed, when we had greeted. "Why, these Quakers would flout the Lord God Himself if ever they got near enough to His Presence. I declare to you, Master Holden, that if you continue to harbor these pestiferous wretches in Rhode Island, you will set all our colonies by the ears. As it is, you do not keep them; you shove them over into our borders that we may have the evil-smelling work of killing them. It is not well done, I tell you. Send us Papists, send us Anabaptists, send us lepers, an' you will; but send us, I pray you, no more Friends. The like of them is not on earth, nor yet, I trust, in Heaven. Only yesterday there came to me a letter from this foolish woman's husband, William Dyer, begging me to spare her once again. I have already writ him that I do him the truest kindness in settling his household once for all; for not until this woman is underground will he, or any of us, find peace of our minds or lives."

So I obtained nothing, and needs must that I should return to my kinswoman's house to give the sad tidings to Hope Dyer.

She was a maiden sustained by some inward power which spoke little in her words, but showed itself in her sweet face always lifted heavenward. If round her mother there was the air of Paradise, round her, my gentle Hope, there was that something which we know is earthly, but which is earth's best and purest and most steadfast. So now, though she received me with much sorrow, it was with few tears, and I saw that she in nowise flinched from all that she must face before the morrow's sunset. If there were any coward, it was I; but even I grew bolder, when she laid her hand upon my arm and lifted her pure eyes to mine.

It was thus that early morning saw us in Prison Lane,* where a dense crowd was already gathered. We stood near the portal, waiting for the condemned to be led forth.

The news that two more Quakers were to die had brought the whole town together, and no small number had come in from Cambridge, Marblehead, and Salem.

Fearing some sort of tumult the Governor had called out the soldiery, who everywhere patrolled the town. Though there was no talk of rescuing the prisoners, it was plain that much feeling existed against putting them to death. Outspoken dissatisfaction was to be heard in plenty, while many who stood stern and silent were nursing resentment in their hearts.

At half-past eight of the clock a roll of drums was heard within the prison-yard. The great gate swung open, and through it came three drummers, beating their drums and marching abreast. After them came Mary Dyer. She walked with head erect, her hood fallen back from her hair. At her appearing the multitude was hushed, awed by that air she wore, partly of the consecrated saint, and partly of the captive queen. Three more drummers followed her. Then came Jeffrey Pryde, bareheaded. Three more drummers followed him, and then the

*Now Court Street.

great gates were closed. Soldiers guarded the sad procession, which, moving up through Prison Lane, turned sharp to the south, toward the common fields.

With the exit of the prisoners the multitude began to move, forming, as it were, an outer guard, beyond the soldiery. Hope Dyer and I kept as close as might be to the maiden's mother, who, seeing us, smiled, though because of the beating of the drums it was not possible to speak. Jeffrey Pryde, too, smiled on us, and for once I honored both the man's courage and his faith.

As we went onwards, a few jeers and foolish insults were to be heard, but mostly there was pity for the two condemned, and some hard words for Endicott.

Arrived at the fields the scene was of the prettiest. Their Common in Boston is all hill and dale, with plenty of green pasturage, well-growing trees, and a broad river lapping close beside. It was the first day of June; the sky was blue, the sun was shining, and the birds were singing in the branches.

Hope Dyer held my hand and walked on like her mother, with head erect, and sweet, young face set bravely.

Presently the crowd before us halted. There was a breaking into one broad lane, and at the end, under a great elm tree, we saw the scaffold.*

The drums ceased to beat. Mary Dyer and Jeffrey Pryde went on. Below the scaffold John Endicott sat on horseback. With him was John Wilson, Boston's minister, once Mary Dyer's friend.

I drew Hope as far as might be to the outskirts of the crowd.

There was little ceremony. Mary Dyer passed first, and, mounting the ladder, stood alone upon the scaffold. Jeffrey Pryde remained below, exhorting her to be faithful unto death.

"It is all I ask," she said. "I have no fear of death, for death to me means life and God."

"Mary Dyer," called out the Governor, "I give you one more chance. An' you return quietly to your home and children, and trouble us no more in Massachusetts, you may come down again."

"I cannot," she replied. "I am here to die, that ye may see how great has been your wickedness in making your cruel laws. Know ye, good people, that this very day your repentance will begin. When once my blood is on your heads, ye shall have had enough."

Then, quickly, John Wilson, the minister, sprang up the ladder and stood beside her.

"Oh, Mary Dyer, repent," he cried, in a loud voice of beseeching.

"Nay, man," she said, with scorn, "I am not now to repent." Then as if in sorrow for the manner of her speaking, she furned on him and smiled. "We have been friends together in the years gone by," she said. "Mayhap we shall be friends again in the blessed days to come."

The crowd stood in silence.

"Since she will not come down," cried John Webb, the captain of the soldiery, "let's to the work."

"I am ready," she said, quietly. "I ask no delay."

With that a man I had not seen before stepped up behind her.

"Wilt thou not bind my eyes?" she asked him.

"I have nothing wherewith to do it," he replied.

"Then lend me thy kerchief," she said, turning, with one of her smiles, toward John Wilson. "I have asked thee many favors; this shall be the last. Nay, nay, man, thou art crying. Keep thy kerchief for thy tears; they touch me more than ever did any of thy arguments. I will close mine eyes, and let that suffice."

"Nay, take it," said John Wilson, holding it out with one hand, while he covered his face with the other.

"Thanks, dear friend. Thou art very kind."

She passed the kerchief to the man behind her. Then her eyes wandered slowly over the multitude till they rested, with their last look, on Hope and me. Again she smiled; and we felt within us the comfort of her blessing.

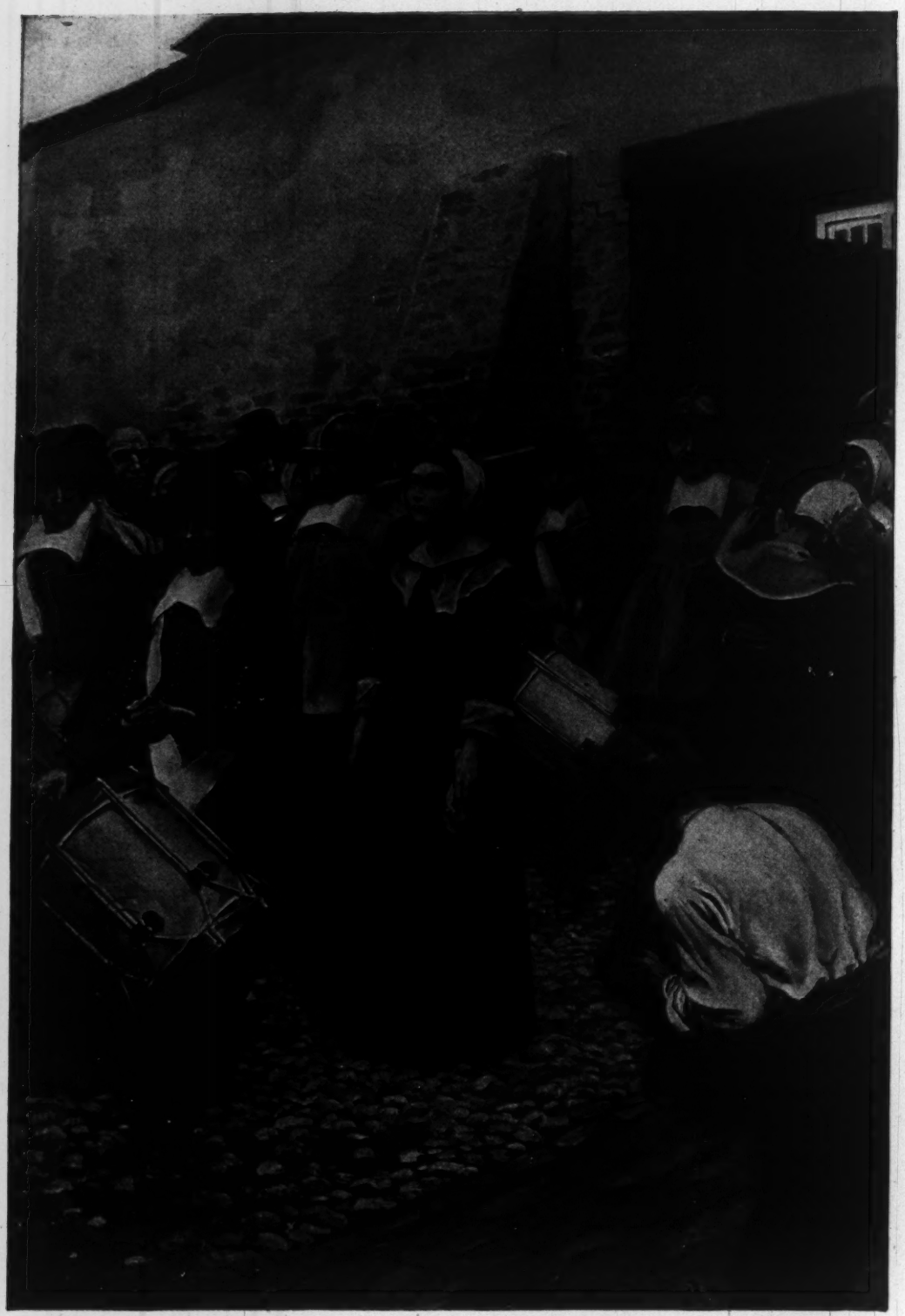
"I am quite ready now," she said, and we heard her voice no more.

I turned away, pressing Hope's head close down upon my shoulder, so that she might not see.

There was a long minute's silence. Then a sigh, a sob, passed over the whole multitude. We knew that Mary Dyer was with God.

All at once a woman's voice rang out:

* The Hollis Street Theater now stands on or near the spot. Boston Common at that time extended farther than at present towards the south.



'AT HER APPEARING THE MULTITUDE WAS HUSHED, AWED BY THAT AIR SHE WORE''

"How long, O Lord, how long shall it be ere thou avenge the blood of thine elect?"

Then another woman cried:

"Did I forsake father and mother and come to New England for this?"

Then another woman cried:

"Woe, woe, woe to New England! Who would have thought that she should come to this! Woe, woe, woe!"

"Amen! Amen! Amen!" a man's voice shouted, and again there was death-like silence.

I turned and looked, Hope's face still pillowed against my shoulder. She sighed in a taking of convulsion, but she did not weep.

Jeffrey Pryde was now on the scaffold — but was it Jeffrey Pryde? Was this white, shivering, ghost-like creature the fair-faced idol of our colony?

He stood, as they bound him, without a word. Then his blanched lips moved, as if in prayer. Presently a faint sound floated outward.

"Let me live!"

There was neither sound nor stirring in reply.

"Let me live! Let me live!"

His voice came louder. But still no man moved.

"I renounce Friends' principles. Let me live. Let me come down."

Still all was silence.

"Let me live! Let me live! I renounce Friends' principles," came from him like a long, wild, wailing cry.

"Unbind him," said the Governor. "Let him go."

The cords that tied his hands were cut. He staggered to the ladder, as one blind. He tottered downwards. Then a great shout arose.

The multitude had turned against him.

"Apostate! Apostate!"

'Twas a woman's voice began, but men and women soon railed and groaned together.

"Apostate! Coward! Traitor!"

"He drove the woman on to die, and then recanted!"

"Stone him! Stone him!"

"Throw him into the Frog Pond!"

"Kill him! Kill him! Drowning is too good for him!"

Hope raised her head. She saw him stagger hither and thither among the crowd, as they buffeted him from hand to hand. She saw him struck, stoned, bleeding.

Then, with a cry, she sprang from me. Something in her face caused the multitude to stand back and give her passage. In a moment she was beside Jeffrey Pryde, catching him as he fell.

"I am Mary Dyer's daughter," she cried out. "This man is my betrothed. I love him. If he live, I will be his wife. Out upon you. Cowards are ye all!"

Eyes and cheeks were flaming. I scarce knew my little Hope. The crowd gave way. Jeffrey Pryde was lying senseless on the ground, and she was kneeling at his side.

Six weeks he lay at my lodging and then died. Had it been possible, he would have had the hanging all over again, that he might show the world, that he might show Hope Dyer above all, that he was man enough to bear it. It was but the bodily, momentary fear of death, he affirmed, that had made him an apostate. He forced me to go to Endicott, with the petition that he might be brought out again. But the Governor would have none of it, and so as an apostate Jeffrey Pryde was left to bear his shame alone.

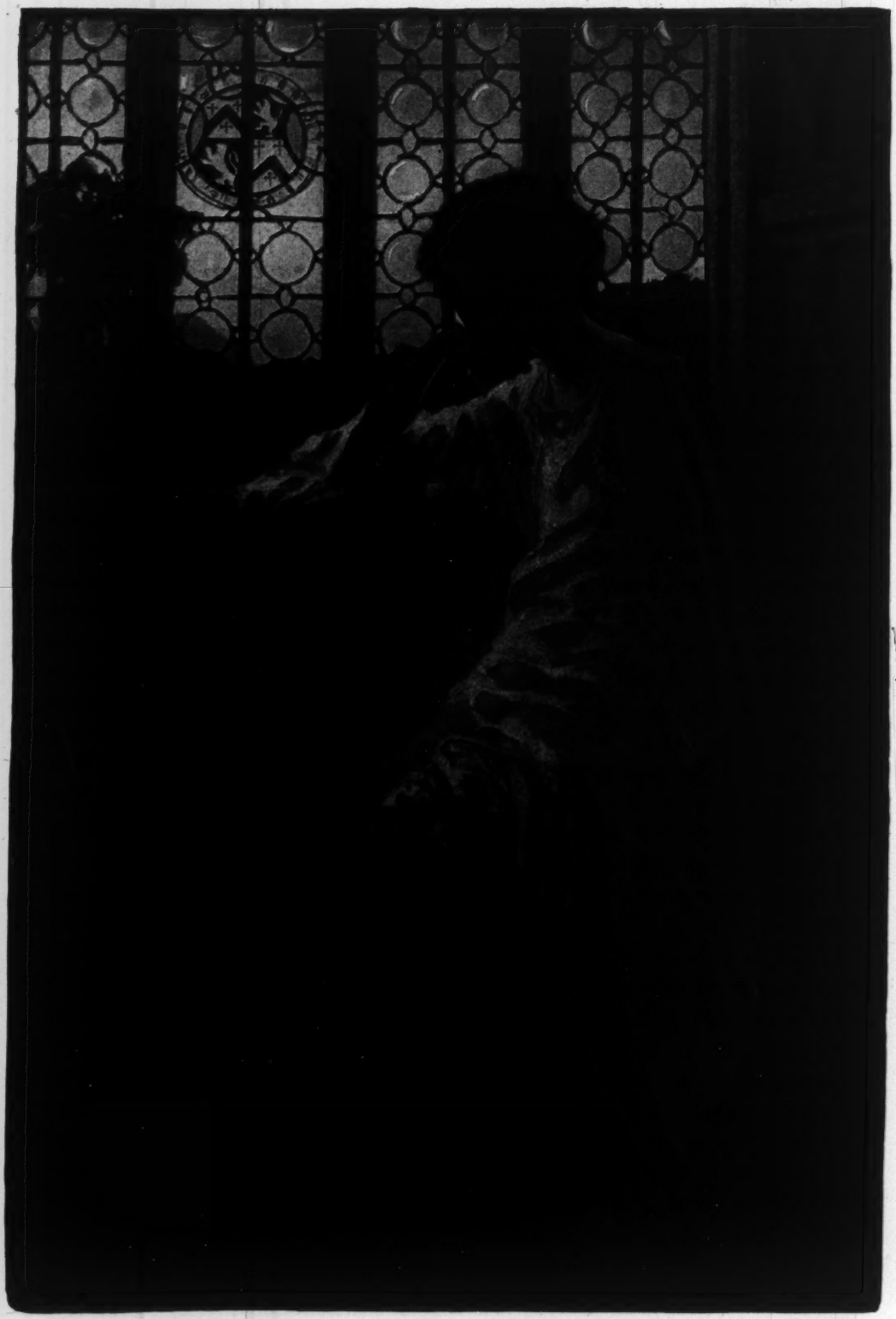
'Tis to his credit that shame killed him. His outward wounds were slight, but in his soul there was a great stab of his own making, from which there was no recovery.

Tossing and moaning, moaning and tossing, he lay, hiding himself from all human eyes, except Hope's and mine, until his lamp went out in dishonor. But even to him Hope brought comfort and some peace before the end.

At first he shunned her, but with firm tenderness she forced herself upon him. From that time on she scarce left his bedside; and, if he did not die wholly as a Judas, it was because she brought with her the very message of the love of God.

Did she love him still? I never knew. At least she tended him with love, and in her arms he died.

It was not until years passed that the sweet maiden came to me. She had suffered too much to be lightly comforted, but comforted in time she was. She was never gay again; she never had again the blythesomeness of other maids. No young man's love could have sufficed her. And so, when the time was ripe, she turned to me.



"MADELON SANK DOWN UPON THE BROAD SEAT WHICH STRETCHES BELOW THE WINDOWS"

"NIGHT, AND THE CURTAINS DRAWN"

BY

JUSTUS MILES FORMAN

AUTHOR OF "ANDREA DEL SARTO," "A CASTLE IN SPAIN," ETC.

ILLUSTRATED FROM THE DRAWING BY JESSIE WILLCOX SMITH

FATE is called a heartless lady, cruel and cold and pitiless — a Juggernaut who rides down hearts and hopes, unseeing, uncaring; but sometimes, to us who grope blind in the dark, perverse in our blindness, who stray from the paradise that was ours, she comes, half in anger, as it were, and sets our feet once more toward what we had left behind; sometimes, not often. So she did with me, in kindly scorn of my perversity — set my feet once more toward the light when I would have turned them to outer darkness; and a certain other pair of feet that I am not worthy to kiss.

There were two young people who loved each other too much, who tried their hearts with an over-great passion, set their souls an over-severe task, and there came to them the inevitable wreck; for men and women are but men and women — not gods — very human and frail and faulty, and, adoring overkeenly, they demand too much and forgive not at all.

To us, to Madelon and to me, the inevitable wreck came quickly, for our love had been too great. We had made gods, each of the other, and, finding after a little that the gods were but flesh and blood, we would not forgive.

It was a bit over two months from the wedding day when I left The Towers — for we had agreed, nay I had insisted, that Madelon should have the place — and went up to my old quarters in town.

I have no wish to dwell upon the next few weeks. They were too cruel even to be looked back upon with any calmness. Sometimes I dream that I am returned to them, and wake shivering. There were certain friends who were kind to me, who tried to entertain me — make it easier for me. There was one — the best of all, though I quarreled with him — who told me that I was making an unmitigated and unnecessarily tragic ass of myself, and that I had no more sense of humor than a woman (which was true).

But friends could not fill all my hours nor all my thoughts. There were sleepless nights — horrible unspeakably, and there were empty, dreary days when I walked always under a strange pall which hung between me and the sunlight, between me and all the life which had used to form my world.

I crossed the channel and loafed about Paris for a week, and I even went down to Nice and to Monte Carlo, but even there the pall hung over me, cold and grey and deadening, and I crept back to London as a sick man creeps back to his chamber of suffering — to my sleepless nights, horrible unspeakably, and my dreary days.

Then Reeves-Davis came up from the country, full of a project for shooting African lions. Would I go along? I looked ahead, shivering a bit, into the sodden perspective of days and nights, each an awful thing. Madness lay that way.

"Yes," said I, "ah yes, I'll go." Sometimes there are accidents in shooting lions. A thousand things might happen.

"Ah, yes," said I, "I'll go."

There were matters to be set in shape, arrangements to make against the possibility of one of those accidents. I went about them with a certain eagerness. Everything must be made easy for Her — comfortable and secure. There were directions to be given at The Towers, and a few things of mine to be taken away — such things as I should be carrying with me to Africa. I wrote to Madelon — it took an hour and much waste of paper — asking permission to come down on some day when she was to be absent.

Her answer — the very writing, the turn of phrase, in spite of its careful formality, the

faint scent which clung to the grey paper — set me into a curious fever of commotion, set my hands to trembling as I smoothed the sheet.

She had named the day for my coming. She was to be away somewhere and would not return to The Towers till late. I went down in the morning — it was the very day before Reeves-Davis and I were to sail on the "Dunnotar Castle" — and one of the grooms met me at the village station with a trap. It was not a cheerful drive, that familiar two miles, for I was bound upon no cheerful errand, and, moreover, I wondered idly, caring little, if this were the last time I should pass that way. Sometimes there are accidents in shooting lions.

Old Wilkins was waiting for me at the door, and behind him Mrs. Stubbs. Mrs. Stubbs' eyes were red-rimmed. Why, I think my own stung a bit. Wilkins had been a footman in the house when I was born, and Mrs. Stubbs was one of the first to hold me in her arms.

The business upon which I had come detained me longer than I expected. It was nearly three o'clock when Wilkins gave me luncheon in the breakfast-room, and nearly four when I went from the table to take a last look at the old study with its comfortable leathern chairs and its crackling fire and its tables and shelves filled with my favorite books.

Madelon had not been often here, it would seem, for the room was unchanged. Pipes and tobacco jars littered the great center table. Books sprawled open, face downward, where I had left them to mark the page.

"I'll have a last pipe," said I. "I can do no better than the five-three train now. I've half an hour and more to waste."

So I filled and lighted a pipe, and I sat down in one of the great stuffed chairs in a corner of the room across from the fire. It was very still; there was no sound save the dropping of coals in the fireplace, and already the daylight was beginning to fade so that I, in my corner, sat among deepening shadows. Aye, shadows indeed! Shadows of bitterness, gloom of despair.

It was a new and keener bitterness here. Somehow there was a difference. In town and roaming aimlessly across the continent I had been grief-stricken enough, God knows, but with the grief there had been always a certain anger, a resentment, a sense of injury. I was not so certain of the injury here. What if I had been in the wrong — all in the wrong?

Something took hold of my heart — gripped it, wrung it. What if I had been all in the wrong? Had I not asked too much? Had I not been too fiercely exigent of the woman I had set upon a pedestal and worshiped? After all, she was but a woman — the loveliest of them, the queen among them, but a woman. We know, all of us, in a vague fashion, that a woman loves better to be loved than worshiped — kissed and teased and played with than set above a shrine; but it is hard not to set her over the shrine, for a man must idolize something, and the woman he loves — if she is a good woman — wears about her head a visible halo, so far she sits above his coarser clay.

There stood on the hearth-rug, a little to one side of the fire, another great leathern chair like that in which I crouched among my shadows. My eyes fell upon it, and I remembered, and a little wave of misery swept over me.

I remembered how I had used to sit there of an evening, late, over the dying fire, and how Madelon had loved to curl up, in some mysterious woman's fashion, on the rug at my feet, resting her beautiful head against my knees. I remembered, and my breath came quicker, the soft touch of her hair, the scent of it when I bent over her, the unspeakable loveliness of her face in the firelight — shadows above her cheeks and chin, and over her straight brows.

I remembered the talks we used to have together there, long, rambling, intimate talks, with silences that said more than words, while the fire burned lower and lower, and the grey ash crept over it, and the coals dropped through the bars with a soft rattle till the room grew a little chill, and I, bending lower, took Madelon bodily in my arms and lifted her up to the big chair and to me. Sometimes, I remembered, she would fall asleep so, with her cheek in the hollow of my shoulder.

Madelon, Madelon!

The thing clutching at my heart gripped and wrung it sorely. This was what I had sacrificed on the altar of a childish anger, of a silly pride. This was what I had given up because my goddess had turned woman. What is a goddess to a woman?

I remembered, and my hands shook upon the arms of the leathern chair. Oh! I remembered a hundred things — a thousand;

exquisite things, too intimate to be written. They thrilled me from head to foot till I could have wept there in the dusk, like a woman or little child. The flood-gates were open wide that I had held so fiercely closed this month past, and the tide came through them in an irresistible, engulfing wave. It would not be beaten back. Wept? Aye, I longed to weep at the rush of memories that flooded me. I think I sobbed, shaking in my great chair.

I had lost all count of time. Trains and duties and all such were gone utterly from my mind.

The dusk deepened, but I did not know it. I suppose the piano had been sounding faintly from the music-room for a long time before it made any impression upon my senses. Even then I heard it as in a sort of dream. It meant nothing to me.

Some one was playing very softly, slow chords at times, little snatches of old song, but at last the song of Helen Huntington's that She had loved so:

"Night, and the curtains drawn,
The household still——"

I think I did not realize even yet that Madelon actually was in the music-room singing. I think that even with her voice in my ears I did not waken to full consciousness, so deep was I in my dream, and so did her song fit into all the rest:

"'Close to the dying blaze
We sit alone;
Naught but the old days lost,
All else — our own.

"'Far in the corners dim
The shadows start;
Near to your strength I cling,
And near your heart.

"'Dearest — the whole world ends,
Ends well — in this,
Night, and the firelit dark,
Your touch, your kiss.'"

Then, after a few final chords, very low, the piano was still, and there came lagging footsteps across the polished floor. I took one great shivering breath as she entered the room, and drew back as far as I might into my shadows, though for that there was no need; I was quite hidden in the dusk. She stood a moment before the fire, with one hand stretched out a bit, away from her, so that a pink glow outlined every slim finger. She was in a long, loose house-gown of clinging silk that hung from her shoulders in straight folds to the floor. There were wide sleeves of lace which showed half her beautiful arm.

Evidently, she had been some time in the house for she must have changed frocks. Still, the servants could not have known that I was there. They must have thought me long since gone.

She moved across the darkening room to the high, mullioned windows which look across the lawns to the fir grove and the little lake and the far hills, and she stood there, leaning against the seat which stretches below the windows, and stared out into the red western sky for a long time, very still.

Then, at last, she turned back into the room, singing just over her breath, but not for joy — sadly, ah, to break one's heart!

"'Near to your strength I cling,'"
she sang.
"'And near your heart.'"

She tried to go on with the next verse, but her voice shook and broke, and very suddenly she dropped down upon her knees beside the great center table and laid her arms upon it and, hiding her face there, began to weep very bitterly.

For a time I clung to the arms of my chair and set my teeth, but I could not bear it long.

"Madelon!" said I. "Oh, Madelon, Madelon!"

That brought her head up with a swift, frightened cry, and she stared through the dusk at my shadowed corner.

"You!" said Madelon in a shaking whisper. "*You?*"

"I, Madelon," I said, and I got to my feet, for she had risen, holding by the great table, and stood there white and stern, looking at me coldly.

"I — thought you had gone," said she. "I believed you had gone long since. I — trusted you to hold to your — word."

"I meant to, Madelon," said I simply. "I did not think to — to intrude upon you, to stop longer than my — limit. I expect I fell asleep in here, or something like. I sat down for a half hour and — and I fell to thinking. It was your song that waked me."

I felt, all at once, curiously weary and old and forlorn, and quite, quite hopeless.

"I 'll — I 'll be going on now," said I. "I 'll just be going on now," for she stood cold and unmoving by the table. "I won't annoy you any — longer," I said, and I turned away toward the door. But Madelon called me back.

"Wait!" said she, and her voice was not hard, but rather gentle and kindly. "There is no train for an hour," she said. "You cannot go now."

"I 'll just wait at the station," said I from the doorway. "I must not take advantage of — " But she called me back once more.

"You must wait here," she said. "There is no reason why you should not. We — we have not gone so far that we must be uncivil to each other."

Then, for a time, there was an awkward little silence between us. I moved over to the hearth-rug and stood there, pretending to warm my hands, though the heat was almost gone from the embers; and Madelon stood beside the great center-table fingering idly the things which lay upon it, and stealing a glance at me now and then.

It was she who at last broke the silence.

"You look very tired," she said gently, "very tired and worn. You have not been — ill?"

"No," said I, "not really ill, just tired, I expect. Just seedy a bit. I 've had no one to — look after me, to make me take care of myself."

"No," said Madelon in a sort of whisper. "No, of course." Then, after a little ——

"You have been living in town?" she asked.

"Whiles," said I. "So long as I could bear it. Mostly I 've been roaming about the continent. To-morrow I start for Africa with Captain Reeves-Davis. We 're off to shoot lions, I believe."

Madelon gave a sudden little cry, and her two hands went swiftly to her heart, as if something hurt her there.

"Africa?" she said very low. "That is so far! And — and sometimes there are accidents in shooting lions."

"So I understand," said I.

Then, all at once, the fierce hold which I had been keeping upon myself seemed to crumble into bits.

"I tell you," I cried facing her, "I tell you, I can bear this no longer! I am going to Africa because I cannot stop here in England. If I stop I shall go mad. I tell you, I have lived such a month as you could not even imagine, as you could not think of even in an evil dream. I am going to Africa because I want to be as far from everything I have ever known as possible, because I must have something to do, to keep me occupied, or I shall cut my throat!" And I turned away from her again and hid my face upon my arms against the wide mantel.

"Yes," said Madelon gently. "Yes, I know."

"You can't know," said I with my face hidden. "It is impossible that you should know."

"Yes, I know," said Madelon again. "I have thought of cutting my throat, too. I expect I 'm not quite cowardly enough to do it, but I have thought of it often."

I turned toward her, wide-eyed and wondering, but Madelon went over to the windows and stood there, tapping with her fingers upon the glass.

"We 've made, between us, a very sad wreck of our lives, haven't we, Cecil?" she said at last. "I suppose it is common enough, but one never quite believes that one's own grief is common. One always thinks it is greater than that of other people. Ah yes, we 've made a very sad wreck of our lives. I wonder if we need have."

"I wonder," said I.

Madelon sank down upon the broad seat which stretches below the windows, and rested her chin upon her hands.

"Such a wreck!" said she. "And yet we were so happy once." She gave a little low laugh that was sadder than tears.

"Poor, dear children!" she said. "So happy and so foolish — but ah, so dear!" It was as if she were speaking of some one else — quite impersonally. "But they were too serious, Cecil," she went on. "They 'd no sense of humor — that will have been because they cared so much — and they made tragedies out of every frown, every careless word, every forgotten kiss."

She laughed again, but not sadly this time, a tender, half-eager little laugh, as if her mind dwelt upon something very sweet to her.

"What times they had, though," she murmured, "while it lasted! How heavenly happy they were!"

"Oh, I know!" I groaned. "Don't I know? I 've been sitting here for hours thinking of it."

And Madelon nodded.

"Here by the fire," she said in her eager, smiling murmur. "Here by the fire of an

evening, or riding together, or punting on the river — oh, a thousand things! This was best though, closest, dearest, this sitting by the fire through a whole evening — late into the night." And she broke again into a little snatch of song — her old song — very low, just over her breath:

"'Far in the corners dim
The shadows start;
Near to your strength I cling,
And near your heart.'"

But her voice wavered and broke with the last words, and she rose quickly from the window seat, breathing a bit fast.

"Ah, well!" she said in quite another tone, "that's all done with. We've been very happy together but it couldn't last. We wrecked it some time ago — forever."

"Forever, Madelon?" said I.

She turned toward me swiftly, very wide-eyed, and stared into my face. I think her breathing ceased for a bit.

"What do you — mean?" she asked, half whispering. "What do you — mean? I don't understand. Forever? Of course, forever. What do you mean?"

"I mean," said I, taking a long breath, "that we're making a silly mess of our two lives, all for a silly bit of pride. I mean that we've been a particularly foolish pair of children, Madelon — you said so yourself. Must we be foolish always? Ah, I've had my pride shaken to the bottom, and there's no more of it left. I'm not ashamed to own that I've been wrong through the whole thing — all wrong, if you like. God knows I've suffered enough. Couldn't we begin all over again?"

Madelon stood across the hearth-rug, white and shaking, and she caught her hands once more to her heart as if something hurt her there.

"You — mean," she said at last, whispering, "you mean that you still — care? still — care?"

"Care?" said I. "Care? Oh, Madelon! Madelon!"

And then Madelon, with a little, low, sobbing cry came to me across the hearth-rug, and laid her face in the hollow of my shoulder where it belonged, and wept.

THE STORY OF LIFE-INSURANCE

BY

BURTON J. HENDRICK
AUTHOR OF "THE ASTOR FORTUNE," ETC.

VII

THE RACE FOR BIGNESS

THE policy-holders have suffered most, not from the dishonesty of their trustees, but from their recklessness and extravagance. The amounts abstracted by underwriting syndicates and high salaries are insignificant compared with the millions wasted upon the agents. The overshadowing evil has been the craze for size. In the last thirty years the Mutual, the Equitable, and the New York Life have concentrated their energies upon a single end. They have aimed at leadership, not in providing the safest and fairest and lowest-cost life-insurance, but in writing the largest annual new business. They have aimed at quantity, not quality. They have become the most conspicuous illustration of the American passion for bigness. They have thus Barnumized the business. To this one fact the larger evils are directly traced.

These evils, outside of the actual dishonesty of the trustees, are the high cost of life-insurance and its frequently deceptive and fraudulent character. The high cost is explained by outrageous payments to agents, in the shape of commissions, prizes, bonuses, and miscellaneous forms of entertainment; by reckless advertising, rebates, and advances; and by the solicitation of business in foreign countries at the expense of the American members. Such expenditures, like most other details, are theoretically graded on a mathematical basis. Every policy-holder, as already explained, pays a certain "loading" on his premium each year as his contribution to management expenses. At age forty, for example, a $10,000 policy in the Equitable costs $330 a year. Of that, about $247 represents the actual cost of the insurance; and $82 the policy-holder's assessment for management expenses. Theoretically, the company expends as little of this loading as possible, and returns its savings in the shape of dividends — in other words, reduces, by that much, the cost of insurance. The connection between expenditures and the cost of life-insurance thus clearly appears. The company which manages its agency system with the greatest economy and thus makes the largest savings from "loadings" will return the largest dividends, or furnish insurance at the lowest cost. How grievously the New York companies have sinned, a few statistics will show. The New York Life, in 1903, spent $11,406,482 on the new business obtained that year. It collected in new premiums $13,784,000. In 1904 it spent $12,005,090 on new business; it collected in new premiums $13,988,186. The Equitable and the Mutual make a showing equally bad or worse. These three companies, that is, have much exceeded their entire loadings* in management expenses,— notwithstanding the fact that their loadings are outrageously large. In other words, these companies have annually paid to agents, on new business, nearly ninety cents out of every dollar taken in. In many instances they have greatly overstepped this record. The Equitable, for example, has obtained its large English business by paying $1.25 for every dollar received in new premiums. In Australia it has paid out $1.40 for every dollar taken in.

*The Equitable, according to its annual reports, has not exceeded its loading. Inasmuch as it has for years regularly concealed one of its greatest expenditures, "advances to agents," by transferring them to subsidiary trust companies, the exact facts are not ascertained. In the last eight months all three companies have shown some retrenchment in the cost of new business.

"Deferred Dividends" Wasted on Agents

The conservative business man stands aghast at such extravagance. He cannot understand how such methods have not ended, long ago, in bankruptcy. The explanation, however, is found in the one word "Tontine." The companies have maintained perfect solvency in the face of such pressure because they have largely used the withheld dividends of their policy-holders. They have persuaded the public, by false and unfulfilled promises of enormous rewards, to leave their dividends for varying periods, usually twenty years. They have then largely used them in the hunt for new business. Many of their foreign establishments, had they been independent companies, would have become insolvent years ago. The New York managers, however, have made up the deficits by using the withheld "dividends" of the American members. The New York Life has confessed that, for agents' commissions and other acquisition expenses, it "borrowed," in the years 1903 and 1904, some $13,000,000 of policy-holders' dividends. Richard A. McCurdy has admitted, on the witness-stand, that the Mutual has similarly eaten into sacred trust funds, and has justified himself on the "missionary" principle. It was wiser, he declared, to use dividends in extending the business than in paying them to policy-holders, who, at best, would spend them foolishly.

New business is desirable, but not essential. A solvent company can stop now, never write another policy, pay off all its claims as they mature, and quietly cease to exist. The Equitable could shut its doors to new policy-holders to-day and carry out its contracts to the end. True, it would take nearly a hundred years to do it; but every solvent company, thanks to Elizur Wright's legal reserve law, is thus fortunately situated. A life company exists, however, for the purpose of insuring lives; and, for this reason alone, it necessarily solicits new members. The extent to which such new members may be admitted, like all life-insurance principles, is scientifically ascertained. A certain membership is required to maintain a fair average of mortality. The more lives insured, up to a certain point, the more accurately will the mortality tables upon which the premiums are based

work in practice. A company with one hundred lives could not succeed, because all might conceivably die in one year, instead of in the gradual succession anticipated by the mortality table. A company with ten thousand well-selected lives or more, however, need expect no surprises. The big New York companies have more than half a million each; an excess which, merely from the groundwork of mortality average, adds nothing to their strength. They could split themselves into twenty or thirty smaller companies, each as strong and solvent as the parent concern. The other rational reason for an increased size is a logical decrease in management expenses. Obviously, the more policy-holders contribute to the cost of running the company, the smaller should be each one's share of the fixed charges. As long as an increasing business decreases expenses, it is an excellent thing. Quite the contrary has happened, however. The New York companies' increasing business has resulted in an increased expenditure. The new members, that is, have not paid their own way; but have become a burden upon the old policy-holders. Life-insurance is about the only modern enterprise in which competition has increased the cost of the product.

The desire for new business, obtained at this cost, is explained first by the ambition of the particular men in charge. Henry B. Hyde's enthusiasm, as has already been said, was to found "not the best but the biggest life-insurance company in the world." He set the pace which the others felt impelled to follow. The pride of the particular company and the ambition of the men in charge were at stake. To a considerable extent we can sympathize with these officers. In the early '80's it was generally believed that the Mutual Life was on the down grade, simply because its new business, compared with that of its two great rivals, showed a marked falling off. In fact, it was a far better company than either; and, in giving way to the modern manias, steadily deteriorated to their level. In 1891 John A. McCall took charge of the New York Life. Had Mr. McCall attempted to reform conditions and refused to write new business at the expense of the old policy-holders, unquestionably he would have been looked upon as a failure and ejected from office. Jacob L. Greene, who had sufficient force of character to champion and practise reform, was always regarded, by hustling life-insurance men, as a "back number." Unquestionably, the craze for bigness has a more corrupt explanation. The officers have based their demands for high and enormous salaries on their companies' increase in size. Their own importance has vastly grown as their companies' assets have piled up. A man with $400,000,000 or $500,000,000 under his control, with an annual income of $60,000,000 requiring investment, has become a financial giant. Few magnates have been so courted and flattered: few, under a constant pressure of flattery, have become so tyrannical. James H. Hyde, a year or two after leaving Harvard, sent a gorgeously framed picture of himself to the president of one of the largest New York financial houses, with a request that he hang it over his desk. It represented the young man in evening dress; with the pompadour hair, the violets, and all the other now celebrated regalia. The president in question submissively acceded.

Insurance leaders have thus obtained numerous chances to grow rich — and not necessarily at their policy-holders' direct expense. Again, there has developed a great administrative machine dependent upon this enormous new business for existence. If their companies refuse to accept this new business, thousands of agents must lose employment. If they cut commission rates, these agents would also support themselves with difficulty. And, be it remembered, the officers were at their agents' mercy. The agents, in the Mutual and the New York Life, delivered the votes, or proxies, that kept the trustees in power. Manifestly, the larger and more scattered the companies, the more securely they entrenched themselves. A mutual company with 1,000 policy-holders located in the same community could readily combine to oust unfaithful trustees; one with 600,000 or 700,000 scattered all over five continents could do so only with the utmost difficulty. Thus has developed a series of motives, none of them in the policy-holder's interest, but distinctly opposed to it, all demanding a constantly increasing business, and all inspiring the management to the most reckless and dishonest methods of obtaining it.

Life-Insurance Agents Necessary

Theoretically, no life-insurance company should employ an agency force. He who

has dependents and no income except the product of his own toil is as morally bound to carry life-insurance as he is to furnish his children food and shelter. Obviously, he should not be hounded into performing this simple duty. However, that theory seldom works. Experience has demonstrated that men do not insure of their own free will. They must be clubbed into it. The company that employs no agents does no business. The old Equitable of London pays enormous "bonuses" or "dividends"; which means that it furnishes insurance at very low cost. However, it writes only a few hundred policies a year; and, at the present rate, must eventually cease to exist. Both circumstances — its big dividends and its small amount of new business — have the same explanation: the old Equitable has no agents. If you wish a policy you voluntarily buy it over the counter. Consequently, the New York companies, which do employ agents, have entered England and practically driven this old institution out of business. There is also a powerful actuarial justification for the agency system. Properly regulated, it brings only healthy lives into the company. A man anticipating early death does not need to be persuaded; he is only too glad to obtain a policy. That is the class which voluntarily seeks insurance. Indeed, an unsolicited applicant is always regarded with suspicion and subjected to an unusually rigid medical examination. Life-insurance agents, if kept within restraint, perform an indispensable function in the social order. Few men are more ridiculed and maltreated; few, after all, actually accomplish more good. We are annoyed beyond measure at their persistence; but that very persistence has provided millions of helpless women and children with support. The widow who receives the life company's check, after the death of her protector, takes an entirely different view of the insurance agent's importunities from that taken by the husband who had to be hounded into a policy.

Under modern pressure, however, the New York companies have combed every social and professional class, in the search for solicitors. Each, in this country alone, has from 10,000 to 15,000 men. In New York City there are 5,000 life-insurance agents. Apparently, no citizen exists, in the companies' estimation, who does not possess abilities in this direction. They employ men and women, educated and ignorant, high and low born. Broken-down clergymen, superannuated college professors, briefless lawyers, bankrupt business men, cast-off politicians, actors, reporters, artists — they press all into service. Evidently the managers argue that every man has a few friends; and is useful at least until he has exhausted them. "Anyone who has two hands and a hip pocket for a rate book can become an agent," — so say life-insurance men themselves. The New York companies make a special bid for conspicuous persons. They have colonels and generals in plenty; even ex-governors and congressmen. In addition to regular solicitors, who give up all their time to the work, they have emissaries who solicit in connection with other occupations. There is hardly a tenement-house on the East Side of New York in which the Big Three have not each a representative. In every factory and every sweatshop have deferred dividends been sold. Bakers, grocers, butchers, and fish-cart peddlers have done an insurance business on the quiet. Of the 5,000 employees of one of New York's largest clothing establishments at least 1,500, it is said, have carried rate-books.

A matron of a leading New York hospital was once discovered soliciting life-insurance. One of the Big Three, a few years ago, planned to make every barber in Greater New York a solicitor. The barber enjoys exceptional opportunities for conversation; and, it was thought, could utilize these better in booming a particular life-insurance company than in indulging in the usual frivolities. The New York companies have originated what is practically a secret-service system. They have what are known to the profession as "boosters," or "helpers," — men at low salaries, who blaze the way for the real solicitor. The "boosters" hunt up possible policy-holders; get all the essential facts concerning their financial standing and physical condition; and then turn them over to the regular men. An intricate system of espionage has also developed. The Big Three have employed "spotters" or "stool-pigeons" to keep them informed, especially on big risks. Bank clerks, apartment-house janitors, elevator men have "tipped them off" concerning the doings of opposing companies. If you are solicited for a policy of any size by the Mutual,

their rivals at once learn of it, and get hot on your trail. Probably some confidential clerk, for a few dollars, has started them on your scent.

An Opening for College Graduates

A few years ago the Equitable began proselyting among the colleges. Its president visited New Haven, Cambridge, and other university towns, lecturing learnedly on "life-insurance as a profession." It started at the same time its celebrated "summer school" in the Equitable library. On the nomination of several college presidents, some three or four hundred young bachelors of arts were gravely instructed how to sell Tontine policies and gold bonds, by certain adepts in the Equitable employ. The most popular lecturer was the venerable Archibald C. Haynes, who, after borrowing some $850,000 of policy-holders' money, was recently dismissed by President Morton. These university students were given liberal allowances while learning the trade, and then let loose on society. There are only a few now in the Equitable's employ.

For the last thirty years the Big Three have also largely recruited from each other's staffs. How Henry B. Hyde bought off his rival's most successful men, has already been described. Indeed, the main rivalry has waged, not over the solicitation of new business, but the solicitation of agents. The New York companies have reasoned that they could sell any amount and any form of insurance if they only obtained sufficiently skilful men. As soon as a successful producer appeared in the Equitable's ranks, the Mutual and the New York Life at once began to tempt him away. They would offer higher commissions, guarantees, and salaries; and frequently actual initial bonuses. Companies less lenient with their policy-holders' dividends have had the utmost difficulty in building up agencies. Twenty-five years ago Mr. John I. D. Bristol began organizing a Northwestern Mutual agency in New York. The Big Three, first of all, attempted to purchase him; and, failing in that, assailed him in every possible way. Mr. Bristol practically ran a training-school for his three big rivals. He would spend several months painfully developing a good agent; and then McCurdy, Beers, or Hyde would at once add him to their staff. Mr. Bristol aimed not at a mob of agents, but a few highly-trained, efficient men. He worked several years and succeeded in developing fourteen who were the apples of his eye. One day Richard A. McCurdy stepped in and appropriated practically the whole lot. He guaranteed salaries ranging anywhere from $250 to $1,000 a month. Mr. Bristol found himself all but the sole representative of the Northwestern Mutual in New York; and had painfully to begin work all over again.

The Mutual and its rivals have wasted unnumbered thousands in this fashion. They would pay a man $1,000, $2,000, $3,000, and $5,000 flat to leave his company; and liberal commissions in addition. Frequently, such acquisitions would get this bonus and a year's guaranteed salary, produce little or no business, and then return to the old company. Nearly all of Mr. Bristol's agents, on the occasion described above, went back to him in a few months. The Big Three have frequently entered into pacts not to disturb each other's men, but usually have broken them. In 1900, for example, an agreement of this sort existed. In that year, however, the Equitable made a slight reduction in first year's commissions. The New York Life thought this a good opportunity to raid the Equitable's agency force. Vice-President Gage E. Tarbell retaliated in New York. He sent for R. J. Mix, the New York Life's leading agency director, and spent Sunday with him; on Monday morning Mr. Mix and some two hundred of the New York Life's New York representatives were carrying Equitable rate books. The New York Life replied by buying off, with flat bonuses and liberal advances, the larger part of the Equitable's staff in Buffalo.

The home offices have prodded this agency force in every possible manner. They have acquainted their men with the amount of new business expected each year; and have used all kinds of inducements, moral and material, in obtaining it. They have compensated agents in a bewildering variety of ways. They have paid commissions, salaries, bonuses, and prizes. When Hyde started the Equitable, first year's commissions did not usually exceed 10 per cent of the first premium. He soon advanced that to 15, then to 25, then 35, and then 50. In the last few years his rivals have thrown aside all restraint. They have paid 50, 75, 80, and 90 per cent of the first

premium. The Mutual Life has paid its New York agency ninety-six cents out of every dollar collected in new premiums. Many smaller companies have followed their example. Such minor companies as the Home Life and the Manhattan have managed their agency forces most extravagantly. The United States Life, though most of its business is on the deferred dividend basis, has absolutely no surplus; it has used it all up in agents' commissions. Two years ago the Washington Life became insolvent. The insurance department discovered that it had paid as high as 200 per cent for new business. In recent years, even several of the Massachusetts companies, once among the most conservative, have spent unwarrantably large sums on the agency force. These commissions have varied according to the particular policy written. The New York managers have paid high for the contracts which they especially desired to write. They have paid low commissions on annual dividend policies; and high on deferred. Again, they have graded these commissions according to the length of the deferred dividend period. They have paid higher commissions on ten-year than five; higher on fifteen-year than ten; and highest of all on twenty. In other words, they have paid the very highest commissions on the contracts which most unfavorably affected the policy-holder.

Summer Outings; Bonuses; Gold Watches, Punch Bowls, and Chests of Silver

Several years ago, also, they originated the bonus system. Under this they pay a larger compensation, provided a certain amount of business is obtained in a specified time. An agent, for example, may get 60 or 70 per cent on all policies written. But if he turns in $100,000, or $200,000 during the year he will get, say, two dollars a thousand more on the entire annual business. This leads not only to extravagance, but to rebating — of which more presently. The New York Life has expended $500,000 in bonuses in a single year. It and the Equitable have also distributed large sums in prizes. The Equitable adorns its successful men with scarf-pins, watches, and diamond rings in recognition of duty well done. It also entertains them at enormous cost to the policy-holders. Last September, when the insurance excitement was at a white heat, the Equitable spent $50,000 fêting its agents at Manhattan Beach. The New York Life has spent as much as $125,000 on agents' conventions. It has its celebrated $100,000 and $200,000 clubs. Eligibility to the first depends on writing $100,000 of business in a single year; to the second, $200,000. Each has its outing; but that of the $200,000 club is quite a sumptuous affair. The members bring their wives — at the policy-holders' expense, of course; and the jollifications frequently extend through five or six days. They hold forth at expensive hotels in Put-in-Bay, Niagara Falls, Thousand Islands, Virginia Hot Springs, and other noted resorts. Such occasions usually end in a blaze of glory. An elaborate banquet is held, speeches made, songs sung, and good things passed around. Repeating watches, punch bowls, safety razors, traveling bags, fountain pens, and chests of silver — paid for by the widow and orphan — are distributed to the year's "biggest producers." Frequently, the high officers grace these banquets. A few years ago singers were hired — again at the policy-holders' expense — to discourse at a Waldorf-Astoria banquet a plaintive ballad especially composed in honor of John A. McCall. Mr. McCall himself sat upon the platform.

Pensions and Death Benefits at Policy-Holders' Expense

The New York Life not only pays its agents well, but pensions them in their old age and, in certain cases, pays death benefits. It treats its agency directors with especial liberality. It has some two hundred and twenty each drawing from $2,000 to $6,000 salary a year. Besides this each gets $100 for every new agent secured. He also receives certain benefits if he remains with the company a certain time, and his widow receives a lump sum if he dies. In one year the New York Life has paid $259,000 to this pension fund. Agency directors get from $2,000 to $10,000 if they die; inspectors of agencies, $10,000; and supervisors, $7,500. Under its celebrated Nylic system the New York Life also pensions all agents who reach a certain period of seniority after having done a certain amount of work.

The New York companies pay enormous amounts not only for work actually done, but for work not done at all. They permit

the agents to anticipate their earnings; to draw large amounts on commission account, to be paid back when the hoped-for policies are issued. They also permit the agents to draw largely in advance their renewal commissions. The Equitable, at the end of 1904, had thus advanced some $7,000,000. Certain agents had received advances amounting to $400,000, $600,000, and $850,000. The conservatively managed companies made such advances only on a limited scale. The Mutual Benefit, at the close of 1904, had lent only $71,000 to its agents; the Connecticut Mutual only $658. Ostensibly, advances are made that an agent may establish his business or extend it. If he has many policies on the books, all regularly paying premiums, he assigns his interest in these renewal commissions as security for loans. To a certain extent the system thus seems justified. Its weakness, however, consists in the enormous lapse rate. The agents who get the largest advances are usually the largest rebaters. They purchase, with advances, an immense amount of business that does not renew. Thus, to a great extent, even the ostensible security for the loans does not exist. In 1901 the Equitable Life calmly crossed $2,000,000 agents' advances off its books — money, that is, entirely uncollectable. Most state insurance departments no longer recognize these "advances" as valid assets. Single agents have left owing enormous sums, which have never been collected. A. G. Dickinson, the manager of the New York Life's South American department, resigned in 1888 owing $302,000 of which only $68,000 was ever obtained.

"Advance Men" and Life-Insurance Tramps

The general agents, in their turn, have distributed these advances largely among their subordinates — the solicitors in the field. The new agent, especially, having no capital or other means of support, lives on "advances." He gets so much a week — $25 or $50 — for several months, in the hope that he may write policies enough to pay back. In recent years almost any man could obtain employment on this basis from one of the three big companies. Consequently, thousands temporarily in hard luck have branched out as life-insurance solicitors. Some entered the business seriously; thousands, however, aimed merely at the salary. These have been technically known as "advance men." Others have referred to them as the "Bread Line." As long as the advances lasted they remained; when the patience of a particular company had been exhausted, they joined the ranks of another, still on "advances." A fine brood of life-insurance tramps has thus developed: men who oscillated from one company to another, living on "advances" and actually doing little or no work. Occasionally, the same man would draw "advances" from one company and turn such business as he got into another; more frequently, the same man would draw advances from more than one company. The same man has even drawn more than one advance from the same company. A few years ago the New York Life discovered that one man was drawing seven advances of $25 a week from seven different New York agencies under seven different names. Indeed, at times it has almost seemed that the best man was not the one who wrote the most insurance but the one who drew the most advances from the most companies at the same time. It is not insisted that this sort of thing has been encouraged; it is simply the abuse of the existing system.

Large Traffic in Deceptive Policies

Probably no institutions devised by man have generated more liars and frauds than the New York life-insurance companies. The agents have lived largely upon the grossest misrepresentations. The companies have demanded only one qualification in agents; the ability to get business. They have not cared how they got it; and have tolerated, year in and year out, men of demonstrated dishonesty. Many agents have been extremely ignorant, and have not precisely realized the extent of their own deceptions. As far back as 1887 President Beers, of the New York Life, declared that 90 per cent of life-insurance agents made "what some people call misrepresentations," and he confessed his inability to change conditions. The agents have deliberately played upon the ignorance of the public. They have handled a product which few have understood. It is technical and deals in complicated figures. The agents have thus found it easy to deceive. They have gathered in everybody, from the tenement dweller to the captain of industry. One of the humors of the situation, indeed,

has been the ease with which the life-insurance agent has gone into Wall Street and transformed the most aggressive bulls and bears into innocent lambs.

The agents have taken for granted that the average policy-holder never reads his policy; and signs applications without knowing what they mean. This assumption has usually been justified. The simplicity with which the average citizen purchases a $10,000 or $20,000 life-insurance policy without investigating its merits is part of the psychology of the trade. The agents have not facilitated his education; at best they have furnished bewildering arrays of comparative figures, "ratios," the attempted interpretation of which is sufficient to derange the average human mind. In most cases, the agent has been a particular friend, and has thus been depended upon to give fair treatment. His most obvious deception has been the "estimates" furnished upon Tontine and deferred dividend policies, already described in detail. He has also constantly sold these Tontines as endowments. The agent has repeatedly talked one policy and delivered another. There are many policy forms which sound alike, though radically different in character. There are, for example, twenty-year endowments, twenty-payment life policies, and ordinary life policies,— all having twenty-year dividend periods. The first are the regulation endowments — payable to the insured after twenty years, or to the beneficiaries if death occurs within that period. The twenty payment is the ordinary life policy payable in twenty premiums; after twenty years, that is, the policy is paid up. The face, however, is payable only to the beneficiary at the death of the insured. The twenty-year deferred dividend is a regular life policy, in which the dividends are paid at the expiration of twenty years. The agents have sold twenty payments as twenty-year endowments; and twenty-year deferred dividend policies as twenty payments. The insured, for example, may have negotiated a regular twenty-year endowment with a rival company. In steps a New York agent: "I can give you this at a much lower rate," he says; and quotes prices on a twenty payment. To the lay mind the things are so similar that he easily accomplishes the deception. The agents have also found abundant opportunities in a certain so-called "instalment policy." Under this, the beneficiary receives the death payment not in one lump sum but in instalments. The premium is less than that of an ordinary life. Many agents, however, have palmed them off as regular policies. They used them especially in competition. "Look here!" they would say, "I can give you the same policy as the other fellow offers, though at greatly reduced rates," and then they would furnish the figures for instalment policies. The widow, after the insured dies, is the first to discover the imposition.

"Gold Bonds," "Consols," and "Debentures"

The agents, however, have not found opportunities enough in the orthodox forms. They have inspired the invention of numerous picturesque contracts. Under their houndings the actuary's life has become a burden. In reality, there are only three forms of life-insurance; the regular life policy, payable at death; the endowment, payable to the beneficiary at death and to the insured provided he survives a stipulated period; and the term policy, which insures a man, not for life, but for a certain period, ten, fifteen, or twenty years. There are various ways of paying for these policies, and of distributing the dividends; but essentially these are the only three possible forms. For thirty years the actuaries have utilized all their ingenuity in twisting them into something new. The Equitable and the Mutual have had upon the market between two and three hundred forms of policy: all merely changes rung upon these three original types. They have constantly harped upon the "investment idea." "Make the Mutual Life your savings bank," has become the war cry. They have given the semblance of investment frequently by combining one form of policy with another. One thing the policy-holder can always depend upon, however: he pays for everything he gets. The price rests upon certain scientific principles; no company can disregard them without disaster. What one company offers another can offer; and any policy that contains unusual opportunities also carries a premium that completely pays for them. All modern novelties are simply old forms of life-insurance under new names — and usually at greatly increased prices.

In recent years, for example, the New York companies have gone daft over "gold

bonds," "consols," and "debentures." They found that the public had tired of life-insurance; and so dropped this business largely in favor of the "gold bond." "I don't want any life-insurance; I've got more than I can carry now," you tell the agent. "But, my dear sir, this is not life-insurance, this is a new issue of bonds — an investment for yourself," he replies. He has the thing pretty thoroughly disguised. You do not sign an "application" for insurance, but a "subscription." You do not become a policy-holder, but a "subscriber." You do not pay a premium, but an "instalment." An annuity becomes a "guaranteed interest"; a paid-up policy, an "extension of the bond"; a death payment a "mortuary return." In the document you receive, the word "life-insurance" is not mentioned once. It is a very expensive affair: printed in gold leaf, and, in the case of the New York Life, gorgeously surrounded by the colored flags of all nations. After paying for twenty years you obtain the Equitable's bond for, say, $10,000 running for twenty years at 5 per cent interest and then redeemed. If you die before the twenty years expire, your widow gets $20,000 or a "gold bond" for that amount. Actually, the bond contract is simply a twenty-year endowment policy. Instead of getting your $10,000 in cash, as under an ordinary endowment, the company keeps the principle, pays an annuity for twenty years, and then pays the full amount. The deception consists in the fact that the Equitable advertises this as a *5 per cent* gold bond. It does not pay 5 per cent in fact. The Equitable charges you an "instalment" (i. e., premium) so large that it reduces the income to two, two-and-a-half, or three. It charges for a $10,000 twenty-year gold endowment bond, at age forty, $706. Its price for a regular twenty-year endowment for $13,000 is precisely the same. That is, if you buy a gold bond, instead of a regular endowment, you pay for a $13,000 policy and get one for only $10,000. In other words, you pay a *large premium* on your bond, which reduces the investment rate. You get 5 per cent on $10,000, when you should get 5 per cent on $13,000, for the latter is what you have paid for. Thus, in this case, your gold bond actually yields 3 per cent, instead of 5. The Equitable, the New York Life, and the Mutual have gulled thousands of capitalists by this transparent trick. Eminent lawyers have examined the gold bond and recommended it as an investment, never once detecting the carefully concealed Ethiopian.

Life-Insurance "Free of Cost"

The New York companies have also largely purveyed the "return premium policy." Under this, all your premiums, in addition to the face of the policy, are returned at death. This is "life-insurance free of cost," as one New York Equitable agent had the temerity to advertise it. This policy has been brought forth in emergencies. The agents used it to prove finally that they could better any policy written by other companies. The prospective insurant invariably stood aghast. "What! insure my life; then, if I die, pay the policy and return all the premiums I have paid?" Yet it is the simplest thing in the world. The company could afford to return not only all your premiums, but could throw in a steam yacht and give you a house on Fifth Avenue. It exacts only one condition in all three cases: and that is that you pay a premium large enough to insure the risk carried. For even on the "return premium" policy you could not beat the company. On such contracts it always charged two premiums; though they were lumped together in the payment. One covered the cost of the insurance itself; the other the cost of insuring the return of the premiums. The premium charged on such policies, that is, is higher than the ordinary kind. In the old days the New York Life issued a five-year dividend policy. It guaranteed, that is, a dividend, the amount stated in the policy, at the end of five years. It simply charged each year the full premium for the policy; and then added another premium which insured the amount agreed to be returned as a "dividend." "Aha!" declares some especially shrewd policy-holder, thinking he detects the weak spot in the "return premium" policy. "It is not life-insurance free of cost because you don't return the interest on the premiums." The agent can meet even this objection. He adds another little premium — the third — large enough to insure the repayment of the interest.

Rebates: Life-Insurance "Rounders"

The agents have practised discrimination by the wholesale grant of rebates. Rebating

it may be explained, is the agent's habit of dividing his first year's commission with the prospective insurant. Frequently, he gives more — sometimes 80 or 90 per cent, or the whole of the first premium. As far back as 1879, as we have learned, rebating had become general; in 1887 President Beers, of the New York Life, declared that it was the "curse of the business." From the first, the managements themselves have encouraged it. At the Beers investigation in 1887 it developed that not only the agents, but the company itself, gave rebates. They promised reductions on renewals; and, in many instances, the Home office accepted these reduced premiums in full payment. Occasionally, it divided the expense of rebating with the agent. Nowadays, a large policy-holder who pays the full first year's premium is looked upon as an innocent.

The practice is vicious from various standpoints. It discriminates between policy-holders, especially between the rich and the poor. As a rule the smaller policy-holders get no rebate; it is an inducement especially offered for "big men." In other words, the poor pay big prices for their insurance, the rich small. If your premium is $25 a year, you pay the full price; if it is $200, you can usually get anywhere from 50 to 90 per cent off. Discrimination exists not only between the rebated and the unrebated; but between the rebated themselves. The agents throw off just as much, or just as little, as the occasion requires. They sell policies precisely as the old Baxter Street "puller-in" used to sell clothes: that is, they get as much as they can. The marketing of life-insurance policies has largely degenerated into barter. Rather than not deliver the big policy, the agent will give back the whole first year's premium.

Rebating is vicious on other grounds. It brings in an enormous amount of shifty business, and is largely responsible for the prevailing lapse rate. Many, because of the first year's rebate, take larger policies than they can afford; and drop them the second year. Again, it has developed a brood of life-insurance "rounders." A few years ago Harlem flat owners attracted tenants by giving three or four months' rent free. As a consequence, many families kept moving from flat to flat, spending three months in each, and thus living without paying any rent at all. Similarly, many ingenious persons have obtained life-insurance all but "free of cost." This year, for example, you take a $10,000 policy in the Equitable, at 75 or 80 or 90 per cent discount. Instead of paying your second premium you take next year a $10,000 policy in the Mutual — also at a big discount. The year after that you take the same policy in the New York Life. The fourth year you come back into the Equitable; and repeat the performance indefinitely.

Occasionally, a rebated policy-holder becomes physically impaired; — what is known as a bad risk. *Then he sticks in the company into which he was last rebated.* A sick man always hungers for life-insurance. A man who ordinarily could afford a $10,000 policy takes one for $100,000 at 90 per cent off. If he falls sick, his relatives and friends gladly pay the few remaining premiums; and his widow, at death, pockets a neat $100,000. This is paid, of course, out of the funds of the unrebated policy-holders. Rebating, in other words, promotes "adverse selection"; that is, brings into the company unhealthy lives and thus increases the death rate. The Big Three write an enormous new annual business; but do not increase in size proportionately. The explanation is that much of the business is obtained by rebates, and does not renew. "How's business?" a high official of a New York company asked a rival a few years ago. "Same old Hell," he replied, referring to conditions described above.

Presents for Policy-Holders' Wives

The New York companies loudly assert that they have warred on the rebaters for years. Mr. Gage E. Tarbell declared, at the recent New York investigation, that in spite of all his efforts at reform, life-insurance policies could be bought, at certain times of the year, for 10 cents on the dollar. A law exists in New York State prohibiting rebates; but the agents have ingeniously circumvented it. They take notes in payment for the larger part of the premium, and make no attempt to collect them. They make presents to the new policy-holder's wife — a silk dress, a watch, a boa. Farmers pay the larger part of their first premium in potatoes; railroad officials in passes; newspaper editors in advertisements. The agents give free fire or casualty insurance policies.

Rebaters demoralize the field for the conscientious, hard-working agent. The New

York companies have had certain star producers — "executive specials." These gentlemen make a specialty of large risks. They spurn the little $2,000 or $5,000 man; and smoke out the $100,000, $500,000, perhaps the $1,000,000 policy-holder. They are attached to no office; but have roving commissions to travel from town to town. They live on "advances" in the most expensive fashion. At night they can frequently be found, in evening clothes, in the lobbies of the high-priced hotels. They entertain lavishly; edge their way into the clubs; frequently even achieve some standing in "society." They enter a field which a careful general agent has perhaps cultivated for years. They write policies, making rebates right and left. Exhausting one town, they drop it and repeat the same performance elsewhere. After their departure, the home agent finds it practically impossible to do business. The cream has been skimmed: and the public educated, by the few weeks' visit of the "executive special," to demand policies at bargain prices.

Why the Agents Rebate

The companies are alone responsible for these practices. They themselves encourage rebating. They give away business because they have a mania for a big annual showing. Mr. George T. Wilson, an Equitable vice-president, has frankly explained the root of the evil. Rebating, he declared at the recent New York investigation, is "an American product devised for home consumption." He openly admitted that the reason the agents gave back so much of the premium was because "they had it to give." That is, rebating is explained, above all, by the high commissions, bonuses, and advances paid in New York. If an agent gets only 25 per cent of the first premium, he cannot afford to rebate, because there will be little left for himself. If he gets 75 or 90 per cent, he can divide with the policy-holder and still have something. Nor are the agents dependent upon their commissions for livelihoods. At any time they can dip into the policy-holders' dividends and take out thousands in the form of "advances." Again, the prevailing bonus and prize system causes rebating. The agent who writes $1,000,000 in a year, for example, may be entitled to a cash prize of $2,000. In the latter part of December he may need $50,000 to make his quota. The premiums on this are perhaps $1,500 less than half of what the agent must turn in to the company. He therefore corrals an acquaintance, gets him examined, and even though the agent pays the whole premium himself, pockets a profit of nearly $1,500.

Career of One Samuel Dinkelspiel

New York methods can perhaps be best illustrated by describing the actual life-insurance career of one agent of continental reputation. Twenty years ago the New York Life's leading man was one Samuel Dinkelspiel. President Beers described him as his "lightning solicitor"; Rufus W. Weeks, the New York Life's actuary, declared on the witness-stand that he regarded him as a "valuable man for the company." There were three Dinkelspiels: one in the New York Life and one in the Equitable, both of whom stood preëminent in the "profession." The third brother, located at New Orleans, was popularly differentiated as the "good Dinkelspiel." "Sam" Dinkelspiel, the New York Life man, was the flower of the family. He made his first appearance as a New York agent in Louisville, in the late '70's. Here he became involved in a disgraceful escapade: some said forgery; President Beers, a "woman scrape." At least he found it convenient to change his name to Lewis and depart for Canada. He represented the New York Life in Montreal for several years, under this assumed name. One day the New York's general agent at Montreal, Mr. Burke, appeared in President Beers' New York office. His anxiety over Dinkelspiel, said Burke, kept him walking the floor nights. His methods, he declared, were outrageous; he wrote business by the grossest misrepresentation and constantly brought the New York Life into disrepute. Mr. Burke declared that he lived in daily terror lest Dinkelspiel do something especially serious for which the home office would hold himself responsible. He demanded the man's dismissal; President Beers acceded. Dinkelspiel, resuming his own name, then came to New York. He consorted with many of the worst people in town; spent a large part of his time at the race tracks; and had an irresistible fondness for poker. He found an opening in the United States Life. He obtained liberal advances and turned in a large amount of business of a certain kind.

He worked three or four years and then left, his financial relations with the company considerably involved. One day a dilapidated creature appeared in the New York Life office. It was Dinkelspiel. He told President Beers that he had lost $4,000 at cards and asked for "advances" to pay the debt. He could get no more money from the United States Life, he plaintively declared. President Beers gave him money and let him loose on the community. He achieved phenomenal success. President Beers gave him hundreds of thousands in advances; at one time Dinkelspiel drew as much as $30,000 a montn. With this, he traveled all over the country, making a specialty of rich men. He entrapped them by the scores. His like has never been known. He seemed possessed of some hypnotic influence. He could enter a millionaire's office unintroduced, talk a few moments, and go out with a $5,000 check to cover the first premium. He insured such men as John V. Farwell of Chicago, E. J. Berwind, Walter Gurnee, Percy R. Pyne, of New York, and James Stillman, president of the National — Standard Oil — City Bank. Usually these same millionaires appeared in President Beers' office a few months after obtaining their policies, threatening lawsuits against the New York Life. For Dinkelspiel obtained his business by making huge rebates and promises, the audacity of which was little short of genius. He did not hesitate to put these promises in writing. He would offer a man a trusteeship in the New York Life, provided he took out a large amount of insurance; he would promise him commissions not only on his own policy, but upon all policies written in his section. Would he rebate? He would make a contract, giving the man 50 per cent off this year, 15 the next, 10 the next, and so on. Checks were sent to the home office, with Dinkelspiel's rebates deducted, and accepted in full payment. He insured one man for $50,000, telling him that in fifteen years he could exchange it for a $200,000 paid-up policy. He promised a Boston man half the commission, on not only his own policy, but on all others written in that city. He reported to the home office hundreds of policies which were never taken. One month he claimed to have written $1,100,000 of new insurance. Of this, only $100,000 was actually paid for. In spite of all this he maintained his hold on the New York Life. Once, enraged because another agent had crossed his path, Dinkelspiel threatened to resign; the New York Life gave him $8,000 to soothe his feelings. At another time he and his brother, William Dinkelspiel of the Equitable, lost $50,000 in one day at the Saratoga race track. President Beers admitted that the New York Life paid $20,000 of this; and added that he "had been informed that the Equitable paid the remaining $30,000." Mr. Beers rather chuckled because the Equitable had made good the larger share. All these facts about Dinkelspiel were laid before the trustees of the New York Life in 1887; and their answer was to continue him in their employ. When he left, two or three years later, he owed the policyholders $348,000.

In the preceding articles have been detailed the causes of the recent life-insurance upheaval. The explanation, it is clear, strikes deeper than the popular imagination has supposed. One-hundred-thousand-dollar French balls, the control of an enormous property by a reckless spendthrift, even the struggle of selfish Wall-Street interests for supremacy — these things do not explain the present crisis. They merely happened to be the particular incidents through which the actual facts became public property.

The actual disease, however, had been long seated. The personalities of Hyde and Alexander, picturesque and interesting as they may have been, were not the real issues. Whether this or that particular financial clique should control the Equitable, the Mutual, and the New York Life — that after all, was not the main point; but whether a thirty years' Saturnalia, in which the very life-insurance idea itself had been prostituted, should end.

The real theme, in these articles, has been the rise and downfall of one of the greatest of American institutions. It has been shown that life-insurance, though its principles had been theoretically worked out in England, was first reduced to honest and successful practice on a large scale, in the United States. Elizur Wright, already distinguished as an Abolitionist, found the system in England the cover for the grossest frauds. His mathematical genius at once detected the cause; his moral enthusiasm inspired him to the long and thankless task of reforming it. By his legal reserve law he made certain the

absolute solvency of life-insurance companies. By his non-forfeiture laws he made life-insurance fair. Because of these two principles American life-insurance companies received a great popular impetus and became a national force making for solidity and good citizenship.

We have then discovered, how, after Wright had accomplished this great task, Henry B. Hyde, by founding the Equitable, proceeded largely to destroy the structure. He added to life-insurance a gambling device long discredited in Europe; which, under various names, Tontine and deferred dividend, became its prevailing idea. Instead of paying "dividends" annually, or annually returning to the policy-holder his over-payment, Hyde accumulated such over-payments, with the values of lapsing members, in a huge fund which he called surplus. Ostensibly, he proposed to divide this, after the expiration of twenty years, among all members who had paid their premiums regularly and still lived. He entered into no written contract to do this, however. In fact, he distributed a considerable part of this fund among his agents in the form of commissions and between himself and his favored trustees in the form of plunder. He and his rivals who adopted his ideas used this fund in paying themselves enormous salaries, in corrupting the legislatures and the press, in building up large financial institutions for their own advantage and at the policy-holder's expense, and in engaging in certain forms of Wall-Street speculation. At the end of long deferred dividend periods they returned to the deluded policy-holders such portion of this Tontine or deferred dividend fund as they had not thus wasted or stolen. They were able to perpetrate this fraud because they handled a product which the average citizen did not understand, and upon which it was easy to mislead him. They did it by making the grossest misrepresentations about Tontine profits; and by engaging, by the use of that very Tontine fund, a huge army of agents who have spread broadcast these falsehoods. Such, in brief, is the story of a great financial hoax which must inevitably take its place in history side by side with the Mississippi Scheme and the South Sea Bubble.

Is the end yet? Much, indeed, has been accomplished. Above all, the laws passed as a result of the New York investigation absolutely prohibit deferred dividend policies. Thus they remove that opportunity for plunder which has corrupted so many men. They also prohibit subsidiary banks and trust companies, investments in stocks, and participation in speculative syndicates by trustees and directors; and demand publicity concerning salaries and other details. They attempt also to limit agents' commissions and the cost of new business. But the greatest evil they do not, and cannot, touch. That is the control of these enormous institutions by dishonest men. There can be no complete reform, whatever laws are passed, so long as the men who enforce them are untrustworthy. In the New York Life and the Mutual the leading trustees, under whose control all the abuses described above have developed and flourished, now ask their policy-holders for a vote of confidence. In the Mutual Life men who have taken profits in underwriting syndicates at their policy-holders' expense now stand for re-election. In the New York Life men who have tolerated falsification of records and the wildest agency extravagance ask a new lease of power. That there have been other exposures of insurance dishonesty, has been shown in the foregoing articles. In 1870 the Superintendent of Insurance uncovered much dishonesty in the Mutual Life. The Mutual Life bought him up and succeeded in suppressing the official document which described its shortcomings. In 1877 and in 1885 the true nature of the Equitable was partly laid bare; but the Equitable succeeded also in suppressing the facts. The last three chief executive officers of the New York Life have retired from office in disgrace: Pliny Freeman in 1863, William H. Beers in 1891, and John A. McCall in 1905. Whether the present disclosures will end in lasting reform or whether the previous experience will be repeated depends largely on whether the policy-holders take charge of their own property, cast out the men whose carelessness and dishonesty have been demonstrated, and put in new trustees who will seek no interest except that of the insured.

THE END

BEN B. LINDSEY: THE JUST JUDGE

BY

LINCOLN STEFFENS

II

THE OPPOSITION

ILLUSTRATED WITH PHOTOGRAPHS

IF you care to take the measure of Christian civilization in the United States to-day, reflect for a moment frankly upon the meaning of this fact: There is opposition to Judge Lindsey. That men like Folk and La Follette, Everett Colby and (even) Mark Fagan, should have to fight for the right to do right, is significant enough of the power of evil among us; but Ben Lindsey! This man is so just and so gentle; his purposes are so pure; his work is so beautiful, so successful, and — you would think — so harmless, that no one would expect to see any man's hand raised against the Judge of the Juvenile Court of Denver. Callous souls might show indifference, but why opposition? And such opposition? The two bosses of the two political parties conspired together once to keep Judge Lindsey off the bench. At another time, some men tempted him to disgrace with a woman! Legislation is proposed, to divide his Court and thus limit his power as a judge to serve the children of his County. Physically delicate, the only rest this overworked man takes is when he travels, as he does, thousands of miles to tell people what wonders "justice with love" has done for the "bad kids" of Denver. This time-off he justifies on the ground that his lectures further the cause of the children elsewhere and bring in money to carry on his plans for his own "Court gang" at home; and he spends thus all he makes from these lectures, and out of the $4,600 which the County pays him, he retains some other judge to fill his place while he is away. I ask the thousands of men and women who have heard Judge Lindsey tell his stories of boys and girls, to consider what it means, that powerful men in Colorado have drawn a bill that shall "put a stop to this little whipper-snapper's running around all over the country lecturing." This is hate. And the other attacks upon him and his work show a deeper-seated opposition. Why?

There's a reason. There are two reasons. One is that Judge Lindsey does not confine himself to saving the children that are "lost in crime"; he began early to inquire into the causes of juvenile crime. He asked what made bad children bad. That led him to a study of the conditions of child-life; that led him to the conclusion that the typical environment of an average Christian community was such that even little children could not be good; and that led this man to attack those conditions. In other words, Judge Lindsey has sought not merely to cure but to prevent the evils of child-life. "Don't tear down all the time," men shout at reformers. "What we want is reconstructive work." It was Lindsey's "reconstructive work" that threatened to "hurt business."

There we have one all-sufficient reason why he has to fight; but there's a second; Ben Lindsey does not limit his labors to the cause of the children. He is celebrated for his juvenile system, and in Denver you hear that he is "a philanthropist, and if he would stick to his philanthropic work, he might go on forever." That's a lie. But, as I said in my first article, this man should not be known only as the founder of the Juvenile Court; he is doing a man's work for men. The "kids' Judge" of Denver is the County

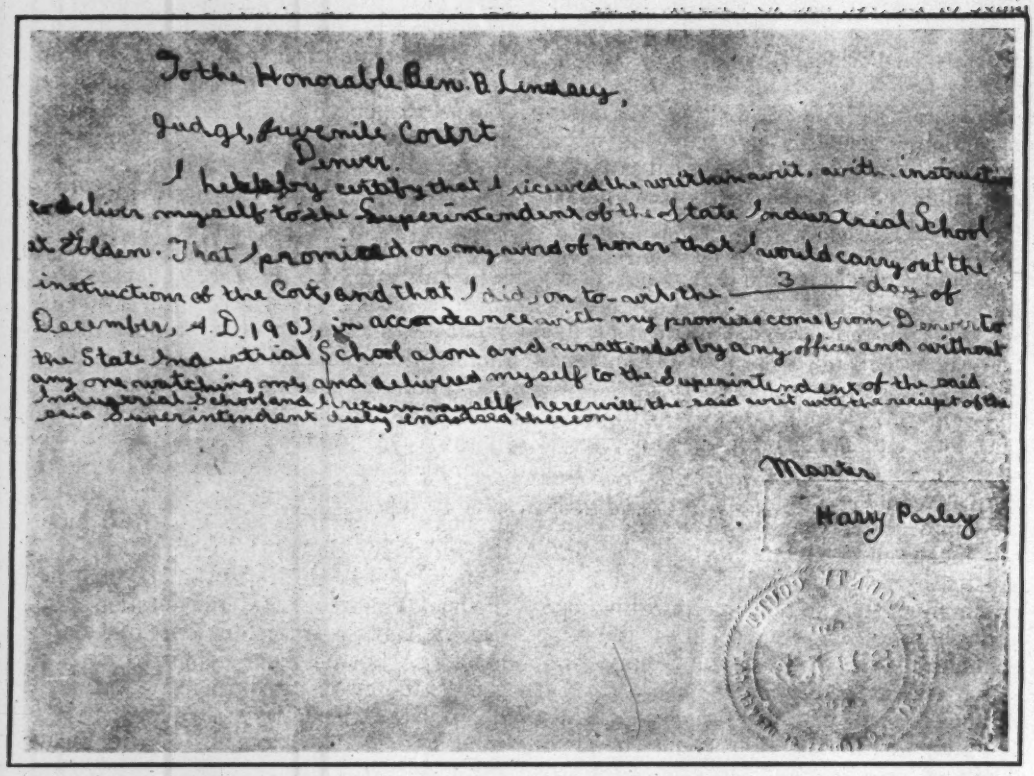
Judge of Denver, and as such he deals out justice to bad men as well as to bad boys, and when by accident one day he discovered evidence of graft in his Court, Judge Lindsey forced the grafters to trial and to conviction. Ben Lindsey does his duty, his whole duty as a man, as a citizen, and as a public official, and that's what makes him a menace to Things As They Are in Colorado and in the United States. Like Folk, and La Follette, and Colby, and (even) Mark Fagan, Ben Lindsey is up against the System, and, therefore, like them and like every honest man you hear of in this land, the just Judge has to fight.

A large part of the opposition to Judge Lindsey, especially at first, was honest. It was ignorant, but sincere and natural. For, you understand, Lindsey's methods are applied Christianity. Without thinking much about it he was putting into practice in actual life, and, of all places, in the criminal courts, the doctrine of faith, hope, and charity. Of course, in a Christian community this was revolutionary and, "as it was in the beginning," caused a great rumpus. The Bar was shocked. When the Judge, searching the juvenile mind for causes of juvenile crime, saw fear of the Law and hate of the Court in the eyes of the little prisoners and, looking about him, realized that there was reason for this dread, we have seen how he threw off authority, came down off the bench, subordinated the machinery of justice to the good of the boy, and for routine and vengeance substituted sympathy and help. He took the boys' view of boys' "mistakes," and when he sent "a feller" to the reform school at Golden, it was only upon his own confession and for his own good. The boys understood, but the lawyers wagged their heads: the lawyers, I mean, who regard the Law as a sacred Institution. When they saw a judge who was "a lawyer, and a good lawyer," sweeping aside technicalities and ignoring "good practice" to get at the real, human interest of the prisoner at the bar, they were deeply pained. But the Judge, who understands men as well as he does boys, understood this feeling, and he was patient to explain, and, since this was an honest opposition, he overcame it. He tells the story:

"I sent a boy to the Industrial School on the charge of 'needing correction for his own good.' The boy had made a clean breast of it to me, and we had such a perfect understanding, that boy and I, that he had taken his commitment papers and gone off by himself to Golden. Then appeared Counsel employed by his parents, declaring that he had been dealt with without due process of law, no jury trial, etc., etc. He (the lawyer) said he would apply for a writ of *habeas corpus*. I assured him I could make no objection, but that the boy had been guilty of two or three offenses constituting technical burglary, so that while he might be released for the purpose of obtaining due process of law, this process would not only make the boy a burglar and a thief, but would return him, so branded by the records, to the place whence he might be brought upon the *habeas corpus* writ."

"The case," says the Judge, "was never brought." Lawyers still lift their brows at Judge Lindsey's "loose practice," but though he has dealt with more than five thousand children's cases, the question of due process has been raised but once since — at home. A Boston judge demurred not long ago. Lindsey lectured there, teaching his doctrine that the boy is more important than the Law, and that where justice, blindfolded, made criminals of "bad" boys, justice with love saved them to the State. "God forgive the people who brought that man here!" exclaimed the Boston judge. And the next time a young criminal was brought before him he "showed how to deal with such cases." The boy had thrown a snowball at a man, and the Boston judge sent the prisoner to jail for thirty days "on the evidence." But Lindsey's doctrine had taken hold of the public mind; the newspapers investigated the case very much as Lindsey would have done, and — on the facts—Boston public opinion reversed the Boston judge. He had made a mistake. He was right, in a way, this law-worshiping judge; it wouldn't do to let men like him exercise their human feelings. But Boston was right, too; such men shouldn't be allowed to deal with the children of men. Even blind justice isn't revenge.

The penal instinct is strong in man, and Denver felt, for a long while, as this pagan judge felt. Grave fears were expressed everywhere of Lindsey's "leniency," as men called his Christianity, for, of course, no one recognized it for what it was. "What the little devils want is a good licking," said the grown-ups, "or the jail." "No," the Judge replied, "all they lack is a fair show



To the Honorable Ben. B. Lindsey,
Judge, Juvenile Court
Denver.

I hereby certify that I received the within writ, with instructions to deliver myself to the Superintendent of the State Industrial School at Golden. That I promised on my word of honor that I would carry out the instructions of the Court, and that I did, on to-wit: the 3 day of December, A. D. 1903, in accordance with my promise come from Denver to the State Industrial School alone and unattended by any officer and without any one watching me, and delivered myself to the Superintendent of the said Industrial School and I return myself herewith the said writ with a receipt of the said Superintendent duly endorsed thereon

Master
Harry Parley

This interesting document was written by an eleven-year old boy who was sent alone to the State Industrial School by Judge Lindsey. It illustrates the Judge's "greatest triumph"—his practise of putting young "criminals" on their honor to go alone to Golden. Out of the hundreds he has trusted, only three have ever failed him.

(The name in this record has been changed at the request of Judge Lindsey)

and — understanding." And he gave the boys and girls a "show and understanding," and they understood. He had to fight the doubts of their elders, but he believes in fighting. "The world needs fighting men," he teaches. "Every good, great man was a fighter." So he enlisted the children in his fight for a "decent town of decent kids," by telling them how he was called foolish for putting faith in "bad kids." But also he teaches that "a good example and loving service — these are the weapons of peace." And this, likewise, the kids understood. The difficulty was to make their elders understand, but he was patient, and the children helped him.

A city official of high degree, exasperated by the outrageous depredations of a "gang up his way," called on the Judge once to send to prison three of the boys that were under arrest. "Born criminals, that's what they are," said the official, and some of their acts were "burglaries." The Judge talked with the boys. He got them to bring in the others, and among them was the son of the official of high degree. "Your son isn't a born criminal," said the Judge, "and neither are the others." He sent none of the boys to prison. The Judge taught them some elementary lessons about crime and, putting them on their honor, let them go "on probation." Their "crimes" ceased.

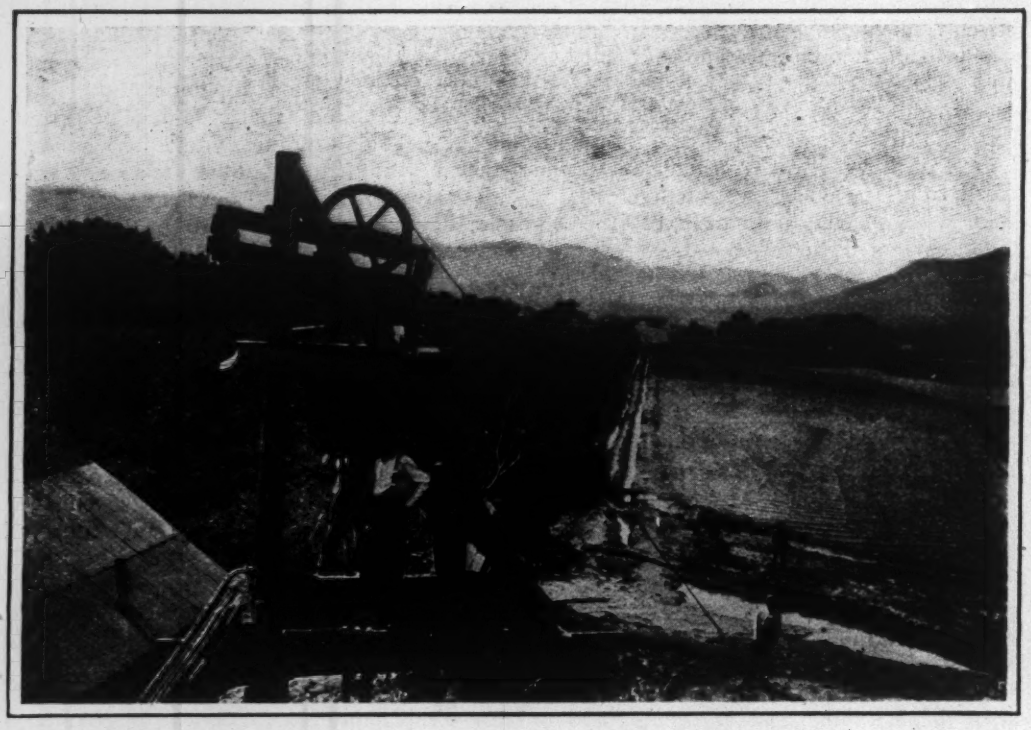
The Judge says his service in the Juvenile Court has taught him "many things" about children, but the information he has gained there about parents, he characterizes as "amazing." He ranks fool fathers and incompetent mothers among the first causes of the troubles of children, and if you add vicious and negligent parents you have nine-tenths of all his children's "cases" accounted for. "Children don't rebel at authority," he says, "only at ignorant authority," and there is where many parents fail. "Every father and mother ought to know more about their own children than anyone else. Perhaps, in most cases, they do, but it is amazing how often they don't.

And the reason they don't is that they haven't enough love for children to understand them, and not enough character to hold their respect. Their children lie to them, and it is the parents' fault. I recall hardly a single case in the thousands I have dealt with when we did not get the truth from the child; yet in hundreds of these cases the children had lied to the parents. Why? They were afraid of their parents; they were not understood at home." The reference here is not to the parents of the poor "bad kids"; they also have their faults, and the Judge has had his troubles with them. But the poor have in poverty an excuse for neglect, and where one parent is vicious, the other is pathetically glad, usually, of help such as Judge Lindsey gave. The poor are "down on" the Society for the Prevention of Cruelty to Children, of New York; but for Judge Lindsey of Denver they will fight — even at the polls. He won over the poor easily enough. His hardest honest battles were with the well-to-do father who "had no time to fuss with his boy," except now and then to "lick him," and the vain and frivolous mother who "just knew that her nice little boy" or her nicer little girl "wouldn't do such things." Now, the Judge finds that all children are pretty much alike at bottom; they all are "nice," but the Old Harry who is in their parents is in the kids, too; and the Judge doesn't mind. The Judge has a sneaking, human prejudice against "little prigs"; he rather favors husky lads and mischievous girls who, if they can do wrong, can do right with equal energy. But the "nice" parents are forever making prigs and snobs of their children or proving to them their elderly asininity.

"I remember a gentleman," the Judge relates, "who was most violent in his complaints to me about boys in a certain (fashionable) district who swiped ice-cream and other good things to eat, from back porches, and he declared he had forbidden his boy to go with the suspects. He was the surprised dad of one, the worst of the gang. I had to find it out for him. He should have known it himself. He was too busy downtown all day, and at night too busy denouncing his neighbors' children. He is busier now studying his own son.

"The mother of a very well-to-do family once swept into my chambers, highly indignant that I had sent to the school for her boy who had been, with others, complained against for a serious offense. I had preferred not to send an officer to arrest him. 'I would have you to understand,' she excitedly declared, 'that my boy is no thief; he never did anything wrong in his life.' She knew it because she heard her boy say his prayers every night at her knee. And she knew how he came to be so falsely accused. For she said: 'I know Mrs. A. across the street has been lying about Frank. She is a mean, contemptible old thing. She told Mrs. B. that he did so and so, and I know it is a lie, because Frankie told me so.' I had never heard of Mrs. A. before," the Judge says; "I had got at the truth from the boys themselves, and Frank had told me all about his part in it. Indeed, we had just finished our talk, and Frank was in the next room waiting for the type-writer to copy a note I had dictated to ask his father not to lick the boy. Frank feared his father, and I knew that the licking would be, not to correct the boy, but to sate the anger of the parent and salve his wounded pride. Children know, and I know and you know how many a licking is as selfish as that. Well, as the mother ended her tirade, the boy came back with the letter to be signed. His face fell when he saw his mother. 'Now, Frank,' I said, 'tell your mother what you have told me.' He did. She sank into a chair with a frightened little sigh: 'Well, who would have believed it?' Another mother, in an exactly similar situation, after nearly fainting away, suddenly arose and, with the image of Mrs. A. plainly in her mind, persuaded her little Frankie to repudiate his confession and stick to the lie. Her little Frankie didn't turn out so well, but the one I saved from a 'lickin'' has been a princely little fellow ever since this, his first real lesson."

Experiences like these would make an ordinary man feel like "licking" Frankie's busy father and humiliating his silly mother, and Judge Lindsey has some very healthy, human feelings about such things, as he shows by the way he writes of them. The man has humor and heat, but also he has charity and infinite patience. He was as gentle with those parents as he was with their children. Having discovered early that many parents thought less of their children than of what their neighbors might say, the Judge provided privacy. We have seen him calling up boys in his Probation



AN OUT-OF-DOOR SCENE AT GOLDEN

In the distance are the Rocky Mountains and "the long lonely hill road" up which Judge Lindsey's boys climb, unattended, to put themselves in the Industrial School and prove to a doubting world that "th' Jedge is dead right in bankin' on th' honor of a kid"

Court by schools and addressing them by their first or "nick" names. This he does to spare not only the pride of the boy, but the vanity of his father and mother. And so he abolished criminal records in the Juvenile Court, not only to save a boy from growing up with a rogue's name to burden him, but to shield his family from "disgrace."

But the best example of his practise of privacy and consideration for both parents and children is his method of dealing with girls. He himself seldom speaks of this part of his work, and the reason is that he finds it is a sex-problem. Some women, who themselves are students of delinquent children and who admire Lindsey's service with boys, say that he errs with girls. "Little girls steal, lie, and do all the other things that boys do," they say. "The police don't arrest them as often, but the problem of the girls is as various and as complex as that of the boys." However that may be, Lindsey finds the sex-problem big enough to alarm him; and he says his observations are borne out by men who know in other cities.

In brief, it is another case of parental ignorance and Anglo-Saxon prudery. Parents do not like to tell their children the essential, natural facts of sex; they think *their* children too innocent. The result is that their children learn them at school or at play from other people's children, "bad" boys and "forward" girls, who impart all this knowledge in the very vilest form. And the Judge, probing into the doings of boys and girls brought before him for other things, discovered that these lessons had taken a practical turn; that in certain schools, where the thing got started, it had spread to include, in one case fifteen, in another nearly all the little girls in the school. What did he do about it?

First, he got the truth. Girls lie more readily and more obstinately than boys, but he persuaded them to tell all about it. And this he accomplished by affecting no horror of the subject. He treated it naturally. He didn't take the course the world would have taken, and especially the women's world — he didn't make the poor

little girl feel that she was lost forever and ever. As with boys, he called it "all a mistake," and a mistake that could be retrieved. Having the truth, he called in the mother. It is a fact for mothers to ponder that no children wanted mama and papa to know; they would get no such candor and no such sympathetic understanding at home as they got from their Judge. But the Judge insisted, and after an hour with the child, he often had to spend hours with the mother to prepare her to be motherly. She was horror-stricken; she thought of the disgrace: of what Mrs. A. would say. But the Judge had foreseen all that. He had other women calling on him the same day, other mothers and unmarried women. The shocked mother's good name was shielded, and she and her daughter were brought together. For once, no lies, no vanities, no hypocrisies, and no false modesty stood between them, and therefore there was no lacking of a perfect understanding. In one case the Judge was so stirred by the extent to which the schools had been cursed by this evil that he called "a meeting of mothers." No one knew what it was for; mothers not involved were invited with those that were in trouble; school teachers and other women; some of the best women in town. There, all together, the women of Denver were informed, warned, and instructed in private. It was beautifully done. No names were mentioned, of course, not even the name of the school, and no breath of the purpose of that meeting ever leaked out.

The head of one of the public utility companies once marked Lindsey for defeat, and one of his executive staff remonstrated. "Oh, no," he said, "not Lindsey."

"What!" exclaimed the magnate. "You, too? Everywhere I turn it is, 'Oh, no, not Lindsey.' My wife is for Lindsey, my mother is for Lindsey, my sisters are for Lindsey. And now you are for Lindsey. What is it that makes everybody and everything fight for this Judge Lindsey?" Everybody doesn't fight for Judge Lindsey; only those are for him who know how he has conspired with them in secret to help their little boy or their little girl. But these are legion. Poor and rich, "everybody" has knowledge of private calls made by this man; of hours, days, weeks spent on the case of somebody's bad little boy whom they have seen afterward being "good" to "show 'em that th' Jedge is dead right in bankin' on th' honor of a kid." Opposition? That of the parents of Denver melted like one of Denver's summer snows.

All the opposition to faith in mischievous boys soon disappeared, but there remained the fear of this treatment for "really bad" boys. The police represented the old policy of vengeance and prison. When the Judge received official permission to deal with all juvenile cases, and they saw what his treatment was — faith and hope and love — they snorted. The town snorted with them, and when the police held back its "criminals born," public opinion backed the police. But the Judge is a politician, too; he knows the game, and he went after the police. How? He might have exercised his authority, and he has done that since, in his fights with the dishonest opposition of the police. But this was honest opposition, this that came first. It was nothing but the natural conservatism of human nature, and he was patient with it. He reasoned with the police. He "showed them." He got the bad boys to help him "show 'em," just as the "nice" boys had helped him show the "good" people up on the hill. Judge Lindsey came down off the bench to go into the jails and bring into his Court the "criminals born"; and he brought them there, and there he gave to them also trust, encouragement, and service, and, like the good boys, the bad ones gave him back faith for faith, hope for hope, and for his love, their loyalty, and — his greatest triumph.

That is what most of the admirers of Judge Lindsey call his practice of trusting young "criminals" to go alone to Golden. Other triumphs of his seem to me to be greater, but certainly the sight of "a convict," and a boy convict at that, receiving his commitment papers from the Judge and passing through the streets, taking train and changing cars to get to Golden, and there delivering himself up — this is indeed a spectacle to see. And it is a common spectacle in Denver. Judge Lindsey hardly ever sends an officer with a boy now, and out of the hundreds he has trusted, only three have failed him. One of these I saw. He was "Eddie," the boy I told about in the first article, who was hysterical, and the Judge had doubts about him; indeed, he put him privately in charge of a "tough kid" who was going also to the school, and it was the tough kid who reported by telephone

from the station where they changed cars, that "Eddie can't seem to make it, Judge. He don't say he won't, but he cries, and I guess he ain't strong enough."

Another of the three failures was a boy who was started twice, and when the Judge reproached him for his weakness, suggested a way to beat himself. "Try me by another road, Judge," he said. "This road goes right by my old stamping ground, and when I see th' gang playin' 'round, I can't help it. I just have to drop off th' car." The Judge gave him tickets over another route, and that night received word that the boy had "made it."

Well, this practice of the Judge was begun on an impulse in this first, honest conflict with the police. They had caught two "dangerous young criminals," boys with records for serious crimes and jail breaking, and the Judge, having found them in the cells, talked with them. One night the Judge telephoned to the warden to send over two of the boys. An officer brought one. "I think," the Judge says, "that the warden's idea was that it was dangerous to send two at one time without handcuffs on them, and the police knew it offended me to have them come into my Court or my chambers with young fellows handcuffed."

THE WORKSHOP AT GOLDEN

Judge Lindsey explains to his boy prisoners that Golden isn't a reformatory or a prison, but a good industrial school "where a poor kid that hasn't a chance at home can learn a trade"

When the officer came in with the boy, he spoke in an undertone to the Judge, warning him that the prisoner was the "worst in the bunch," and that every time he had brought him to that room, the boy had eyed the window with the fire-escape.

"Better let me stay," said the officer. The Judge said he would take his chances. "All right," said the officer, and he smiled, "but we shall have to hold you responsible.

You know what it has cost the County to catch this prisoner." The Judge knew, and he promised to give a written order of court, if necessary, and the officer left.

It was ten o'clock at night, dark and cold. The boy, sixteen years old, was strong, and his face was not very prepossessing. The Judge is built like a flower, but he had worked hard on this boy, and he believed in his "method." So when the door closed behind the officer, he went straight up to the boy.

"Henry," he said, "the officer who brought you here says you had your eye on the fire-escape, and that you are looking for a chance to 'skip.' He said he wouldn't be responsible for your return to jail if I made him leave you alone in this room with me. He said that you'd be down that fire-escape quicker'n a wink. Now, I don't believe it. I believe in you, Henry, and I hope you believe in me."

With that, the Judge went to the window and, throwing it up as high as it would go, he said:

"There, Henry, there's the fire-escape and the night and two hours the best of it, for I'll promise, if you decide to 'duck,' not to report to the Warden till twelve o'clock. Now, then, if you think you are not worth saving, not worth helping — if all the hours I have spent with you in jail are to go for nothing, you 'scoot.' I'll not interfere. I leave it to you. I can't save a fellow, you know, not by myself; I can only help a fellow to save himself, if he wants to. If he doesn't want to, and I can't convince him that he ought to want to, then I do not see much hope. So go or stay, as you wish, Henry."

"Do you mean that, Judge?" the boy asked, and the Judge thinks his impulse was to go.

"You know what I mean," he answered, and for a moment the two looked at each other.

"Then," says the Judge, "I thought I saw a peculiar shadow cross his face, and I believed he understood. I went back to my table and sat down. I must confess it was an anxious moment for me. I wasn't sure that I had made on that boy the impression I hoped to make. He looked so hard. And he wavered there. I hardly dared to look at him. I thought of the ridicule of the police, of the failure and what it would mean: the defeat of the policy I was coming to believe in. And there that boy hung, swinging, actually swinging. Well, he had a certain peculiar swinging gait, and when he made a lurch for that window, my heart rose in my throat. His hand went up in the air, and I thought he was gone. But no — the hand that went up seized the window and brought it down with a slam and a bang. Then the boy came and sat down at my table.

"'Judge,' he said in a very simple, almost boyish way, 'I'll stay with you. I never had nobody talk to me like you. I'll do anything you say for me to do.'"

So they talked. The Judge told the boy he might have to go to Buena Vista (the penitentiary), and they discussed that. And they discussed crime and the police, till it was time for Henry to go back to the jail. And then — the Judge sent him back alone, and he went back alone, and he took voluntarily his place behind the bars!

It "worked," this "method" did, so the Judge adopted it as a method. It would strengthen the boys. He told the police that he proposed thereafter to trust all prisoners to go alone to Golden. The police laughed. It is said that they passed the word to put up a job on the Judge. At any rate, the next boy for Golden was Billy B., a chronic little runaway, and with the two policemen who brought him in came two reporters. The officers excused their double patrol by pointing to a brand-new shine-box which Billy carried as evidence that he meant to "skip." That kid had given them a two weeks' chase, they said, and *they* weren't taking any chances on him. The Judge might, they implied, but there were the two reporters to bear witness that, if Billy skipped, it was no fault of the police. As a matter of fact, one of the reporters told the Judge that the papers had been "tipped off to send them out and get a good story on the Judge."

When the case was called, everybody was laughing in his sleeve, everybody but the Judge and Billy B. The Judge was anxious, and the boy was sobbing in a corner with his shine-box hugged to his breast. Billy was only twelve years old. He had no father, and his mother was a washerwoman. He had learned early to tramp. The Judge had worked with him, but when the "movin'-about fever" got hold of Billy, Billy had to move. And he had the fever now. He admitted it to the Judge, and when the Judge said he must go to Golden, the little

fellow burst into tears. He had visions of stone walls and iron bars, with a policeman standing over him with a club all the rest of his days. That is what prison means to boys, and Golden was prison to Billy. So he dropped on his knees and begged the Judge not to send him away, promising pitifully "never to do it again." Billy was simply afraid.

"Billy," said the Judge, "you are crying because you are scared. What are you scared of? Me? Why should you be afraid of me? Haven't I given you a square deal? Haven't I given you every chance I could, helped you every way to be a good boy at home?"

"Yes," Billy sobbed, "but ——"

"You can't be a good boy at home. You don't get a fair chance at home. You want to move on all the time, and by and by you'll just be a 'vag.' Now you don't want to grow up to be a bum; do you? No, you want a chance to learn a trade and be a man."

The Judge explained at length that Golden wasn't a reformatory or a prison. It was only a school, a good industrial school, where a poor kid that hadn't a chance at home could learn a trade. "Why," said the Judge. "I've been there. I like to go there. And I tell you everybody up there just loves a kid that tries to do his best, and they help him. Nobody hates a kid at Golden. No, siree."

By and by, the tears ceased to flow. The Judge described the school, its shops, its military organization, its baseball nines, and then, as the Judge says, "when fear vanished, and interest began, I appealed to the boy's nobility, to his honor, pride, his loyalty to me." Judge Lindsey seized for this purpose the very preparations the police had made for their "joke on the Judge." He introduced Billy to the reporters.

"What do you think the cops have told these reporters, Billy?" he said. "They have told them that that fool Judge was going to trust little Billy B. to go to the industrial school all by himself, and that they were going to have the laugh on the Judge because they knew Billy better than the Judge did. They say they know you'll never go, and they are saying what a fine joke it will be to have the reporters write a story to-morrow telling how the Judge trusted Billy, and Billy threw the Judge down, ditched his papers and ran away. And, gee-whiz, it would be tough if I did get thrown down. But I'm not scared. I believe in you, and I'm going to trust you. I am going to give you these, your commitment papers and your railroad ticket, and we'll see whether you stay with me or stay with the police. I want these reporters to tell just what happens, so it'll be up to you, Billy, to go to Golden or skip."

As the Judge proceeded, Billy's head began to go up in the air. By and by he pushed the cold tears out of his eyes, and when the Judge ceased to speak, those eyes were blazing.

"Judge," he said, "you know John Handing, don't you?"

The Judge hesitated.

"You know, Judge; the kid th' fellers call Fatty Felix."

"Yes, yes," said the Judge.

"Well," said Billy, "he's my chum, Fatty is. Now here's my shine-box. You give that to Fatty, and you gimme them papers. I'll show 'em. You trust me, and I'll stay wit' ye, Judge, and we'll fool 'em, all right."

And off went Billy B., twelve years old, out of the court-room, down through the streets — the streets he loved — to the car; then over three railroads to the little town of Golden where, asking his way, he climbed the long, lonely hill road to the industrial school — just to show a doubting world that "it" works.

Was the world convinced? No. The grown-ups marveled, and even the boys sneered. The Judge "fixed" the boys. He heard that they called Billy B. a "chump" up at Golden, so he went up there, and he told the story in a speech which made Billy B.'s face shine like his old shine-box. That speech, repeated again and again, at Golden and in Denver and all over the State, has made it an honor to go alone to Golden: a test of pluck, loyalty, and self-control. And, on the other hand, to "ditch your papers and run," is a disgrace in Boyville now. A boy called on the Judge one day with an offer from the gang to "lick" any kid that ditched his papers or in any other way went back on the Judge, and the Judge had some difficulty in explaining why that wasn't "square."

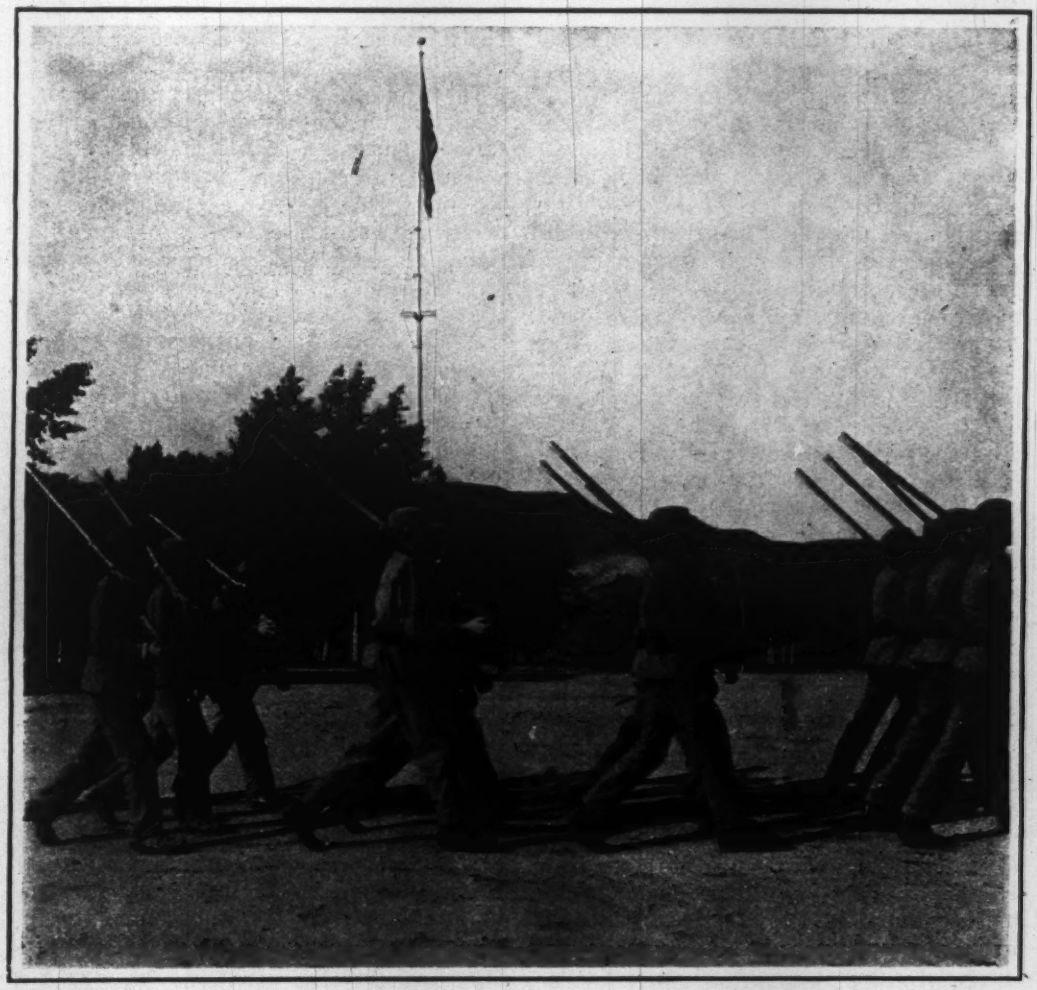
Wonderful? Yes, it's wonderful if you don't see what "it" is, and Denver didn't, at least, official Denver didn't. The Judge saw that he had to "win out" with what the world calls "young criminals born," so

he watched for a chance; and the chance came.

"One morning," he says, "the newspapers reported the capture of Lee Martin and Jack Heimel, two notorious boy burglars known as 'The Eel,' and 'Tatters.' They were the leaders of the River-Front gang of sneak thieves, pickpockets, burglars, etc., and they had done time in the reform school and jails in Colorado and elsewhere. The newspapers, having told all about them and their crimes, went on to say that these criminals had amply qualified for a long term, and they should therefore be tried in the criminal court, not before the newfangled, grandmotherly, juvenile department. Here was my chance and a challenge.

"I visited the jail. The boys were in separate cells, handcuffed to their benches. They had just come out of the sweat-box where the police had been bullying and threatening them for hours in an effort to make them tell on the other members of the gang, and they were bruised and battered. Tatters looked more like a pirate than the fifteen-year-old grammar-school boy he was. A picture of uncleanliness, he scowled at me out of sullen black eyes, and the sinister effect was increased by the livid bruises on his swarthy face. I talked with him, but could get nothing out of him. His lips were padlocked, for he was plainly suspicious of me.

"Lee Martin presented a very different appearance. He was slight, fair, and scrupulously neat, despite the unutterable prison



DRILLING THE BOYS AT GOLDEN

filth. About him was an air of childish innocence hard to reconcile with his established reputation as the most expert and reckless boy criminal within a thousand miles. There was something peculiarly winning about him. I have never met so interesting a boy, or one so full of vital, human experiences learned in the hard school of life. He had gentle, blue eyes, just now glaring with hate. It was an expression I was to see in them often during the next few months, for hatred and revenge were then the dominant emotions of his life.

"As I stepped across the cell, he drew himself up with an odd touch of dignified pride peculiar to him. He was only a little boy, hunted and run to earth like a wolf, cuffed and kicked and flung into a dark cell prior to being railroaded through the court to the reformatory, but he was staunch and 'game' still to his comrades.

"'I ain't no snitch,' he flung out before I had said a dozen words.

"'Good for you,' I told him. 'There's always good in a fellow that won't snitch on his chums.'

"He looked at me, greatly surprised but still suspicious. He asked me who I was. I told him. 'Are they going to try me in your Court?' he asked. I answered that he would probably be tried in the criminal court. 'They'll send me up, all right,' he said with conviction. 'Would you?' he demanded. 'I'd give you a square deal,' I told him. He sneered in my face."

Not a very promising beginning, was it? The Judge did not give up. He called again on the boys, and again and again. He told them the truth. He told them he was laboring to have them tried in his Court, and why. He talked about his Court, and what it meant; how it was opposed, and why. He had no secrets; he kept nothing back. He discussed crime, his view of it, the police view of it, the world's. He didn't know who was right. "Gradually their suspicion of me disappeared," the Judge says. "They came to regard me and my Court as engaged in a fight for them against the hated police." The Judge let them think that. It was true. He explained how it was true, how "the police were not to blame," not the policemen. They were reared in a school that taught them that it was their duty to fight crime with crime, craft with craft, violence with force, and maybe that was the only way. Certainly, "fellers," like Tatters and the Eel made it hard for the police. Hadn't the boys added to the work of the "cops," and to their worries?

They had indeed. The Judge laid down the kid law, which was the criminal law, about "snitching"; how snitching on the other fellow was wrong, but snitching on yourself was all right, if you believed what you told was to be used to help you. This they understood, and as their confidence grew, they began to snitch on themselves.

They told the Judge their stories, and they were amazing stories of crime and of hate. "The Eel especially hated anything in the nature of legal machinery with a bitterness that amazed me," the Judge says, "till I had heard his story." And then the Judge tells the Eel's story. His father was foreman in a machine-shop, honest enough, but brutal to the boy, who loved his mother who loved, but was too weak to help, her son. He "bummed" the streets day and night, dodging his father, who cuffed and cursed him whenever their paths crossed. Lee ran away, and to keep himself became a sneak thief. Before he was ten, he had "bummed" his way from Chicago to Denver and become a "pretty slick thief." Arrested now and then, and railroaded by the Law, he was patted on the back in the jails by hardened criminals who taught him to pick pockets. Caught at this, he learned burglary from burglars in the jail and, at the age of twelve, nearly killed himself trying to blow a safe. The "Bull-pen" had shown him how, but he put the powder in the wrong place. He was full of courage. An experienced "hobo," he traveled twenty-five thousand miles in one year on brake-beams till, tiring of that, he learned to sneak into Pullmans and hide and sleep in a vacant upper berth. Once he was awakened by an exclamation from the porter: "Good Lawd, they's a kid in heah." The Eel tells the rest: "I flew th' coop when th' coon guy went to tell th' conductor. That ditched me in a town they call Reno, Nevada. 'Course I was broke. I touched a guy for a half and bought me a cane and some chewing-gum. I walked into a bank and up to th' guy in th' monkey cage. I says I wanted work, and when he went to see de head guy, I rammed th' gum in de end of my cane, shoved it through the cage, and swiped a twenty that stuck to th' gum. Then I hiked out on th' express that night."

ONE OF JUDGE LINDSEY'S "GANGS"

The Judge has enlisted the children of Denver in a fight for a "decent town of decent kids." Together they are showing the police and the public that "there ain't no really bad kids"

Where did the boy learn that trick? In jail. That's where the State taught him his trade, and, when he had learned a new crime, he could break out and try it. Twice he had broken jail, cleverly, boldly. Once when an officer, Roberts, tried to recapture him, Lee smashed a lantern in the man's face and then led him a chase through a back yard where clothes-lines hung in the dark. Caught under the chin by a line, the officer turned a "flip-flop," and the boy got away; not unscathed, however; the officer fired several shots at him, and one hit the boy in the hand.

To kill that policeman was one of the vows the boy had made to himself. "He tried to kill me. I was only a kid, and he tried to kill me. I'm going to kill him one of these nights."

The Judge listened to these stories, noted what they meant, and he sympathized with the boys. But that isn't all he did. He sympathized with the Law and with the policeman, too. He showed the boys just where he thought things were wrong in the Law and in the courts, and the boys came to understand. It wasn't easy to correct the teachings of the jails and the police and the home and the streets, but this man did it with those boys. He showed them, for example, how the officer, Roberts, was acting in good faith, doing his duty, and how he

must have been exasperated with the Eel, and the Eel saw it. And when the Judge saw that he saw it, he brought the boy and the officer together, and — they are good friends now.

So with the Law; the Judge explained what the machinery of justice was for. It had been perverted from its true function, justice, to vengeance, but it could help a fellow, and he proved it, the Judge did. He got the cases. And he got them with the consent of the police. One captain who was loudest in his protestations, said:

"You can't baby Lee Martin, Judge. He's been in jail thirteen times, and it hasn't done him any good."

"No," said the Judge, "and if I fail, I'll still have twelve times the best of you. You've failed with him your way. It's my turn now. It has cost the city in officers' fees alone, one thousand and thirty-six dollars to make a criminal of him. Let's see what it'll cost to turn him into an honest boy."

The captain ran over a list of his crimes. The Judge brought out a longer, more correct type-written list.

"How in the world did you get that?" the officer asked, astonished.

"They've confessed to me everything."

"How did you do it? We couldn't sweat it out of them."

"I made them see that I was their friend," the Judge said, "and that I wanted to use the information for and not against them."

It was a strange, new point of view to the police, but they saw that there was something in it, so they tried the boys before the kids' Judge.

The evidence was plain. Burglary was the specific charge, and the police proved it; the Judge was convinced formally of what he knew (for the boys had told him all about it). What did the Judge do to the boys?

He put them on probation. Yes, to the horror of the police and the town, he did by these bad boys just as he did by good boys: he gave them a "show." What was the result?

A day or two later the boys called on the Judge. With them were two others, "Red" Mike and Tommy Green. The Judge understood; these were members of the River-Front gang, for whom the police were on the lookout. But nothing was said about that. "We had a general talk about crime," the Judge says, "and the principles of the Juvenile Court." The Judge was expectant, so were Lee and Tatters, but it was left to the new-comers to do their own snitching, and they did it. After a while, "Red" turned to Tommy. "Don't you think it's about time we were snitchin' up?" he asked. Tommy allowed that it was, and then followed what the Judge calls "a snitching bee." "And," the Judge adds, "I had two new probationers for my Court." A week or so more, and these four called with a fifth "kid," and he, a "soft, mushy one," as the Judge describes him, he also "snitched up." Another period, and the five brought in two more. That finished the "criminal" list of the River-Front gang. "Not one of these boys had snitched on another," the Judge says. "Each one had told only on himself."

All those "young criminals" were put on probation, "and," says the Judge, "six out of the seven have stuck. The seventh made the pluckiest fight I ever saw before he slipped back, and I still have hopes of his ultimate success."

What does the Judge mean by a plucky fight? "A plucky fight" means what the Judge means by probation — the game of correction, the game of overcoming evil with good. These young criminals had not only to be good; they couldn't *be* good. That's too negative for husky kids, and the River-Front gang were a husky lot. The Judge says boys are bad because, while they have lots of opportunity to do wrong, they have none to do good. So, as in the case of mischievous boys, he gave these criminals opportunities to do good. There were other "fellers" starting on careers of crime. If they were allowed to go on, they would be caught, jailed, and made criminals of by the police, who, though they didn't mean to, were really criminal-manufacturers. The game was to beat the police and beat public opinion by showing the opposition that the Judge was right about kids, that "there ain't no bad kids." So the game was for the River-Front gang to bring in kids that were going wrong, get them into the Court gang, and thus prove by the good they all could do together that "it" worked. And "it" did work.

The loyalty of the River-Front gang to the Judge as leader of their new gang was superb. It was mistaken sometimes. Once

when Jack Heimel's mother was away, he slept in a cheap boarding-house. A drunken man cried out that he had been robbed, and he accused Jack and a friend of Jack's. The lodging-house keeper knew Jack and, of course, believed the charge, so, sending for the police, he placed himself in the door to bar the way out. Jack made a dash, hit the man behind the ear and, dropping him, leaped out and away with his chum. The police searched for them all night, but couldn't find them. The Judge found them. When he went down to court the next morning the boys were "layin' for him." Jack explained:

"We didn't take th' money, Judge, but I had to hit de guy, because, you see, if de cops had 'a' jugged me, me name would 'a' been in the papers, and then, wouldn't they say that this was de feller what de Judge ought to 'a' sent up and didn't? And, say, wouldn't dat 'a' got you into trouble, and maybe lost you yer job?"

It developed afterwards that the drunken man hadn't lost the money at all; so Jack Heimel was cleared, and that was his last "scrape." He got a job as a mechanic in the railroad shops and, loyal always, his last report to the Judge was that he had sent East for a book on mechanical engineering. He was rising, and he feels to this day that his success means much, not only to him, but to the Judge and the Court gang, and the methods thereof.

The Eel had a hard time. "This boy, whom the police called a depraved criminal, has done more to discourage crime," the Judge says, "than any ten policemen in the city." He brought in boy after boy to "snitch up," and he helped keep his own gang straight. "Red" Mike slipped back once. Arrested for a robbery, he escaped, and the police were after him. The Eel was troubled. He called on the Judge. He knew where "Red" was hiding, and he knew the Judge knew he knew, but the Judge asked no questions. He and Lee simply talked the matter over till they agreed that it would be better for "Red" to come in and surrender than to be driven deeper into crime. And a day or two later "Red" appeared at the Judge's house, "ready," as he said, "to take his papers and go to the reformatory."

Lee became an un-official officer of the Court, and the Judge used him freely. Once a boy stole a pocket-book from a woman in the store where he worked. The Judge sent for Lee. "Something ought to be done," the Judge said, "to get that boy back in the right path." Lee went after him. He found him in a cheap theater, "treating a gang," brought him voluntarily in, and — to-day the boy is a trusted employee in that same store.

Another time, Teddy Mack, a fourteen-year-old "criminal," who was arrested for stealing a watch, sawed his way out of jail and got out of Denver. All summer the police searched, and the Judge and Lee Martin often talked over the case. One day Lee said:

"I'd like to get that kid for you, Judge. I'll bet he's down to the fair at El Paso. You send me down there, and — I won't be a 'snitch cop,' but I believe I kin get him to come in."

The Judge gave Lee five dollars, and the boy went across the line to the bull-fight. There was Teddy. The two boys took in the fair together, but Lee talked "crime, and the principles of the Juvenile Court" to Teddy, and back these two came together to the "Jedge." Teddy "snitched up." The Judge gave him twenty dollars to redeem the watch he had pawned for three dollars, and when Teddy returned with the watch and the exact change, he was sent to deliver the watch to the owner and to admit that he was the thief. That settled the case, and that settled Teddy. "We had no more trouble with Teddy Mack," the Judge says, "though he had been one of the worst boy-thieves in the city."

The boy with whom Lee Martin had the most trouble was Lee Martin. He could not settle down. The habit of "bumming," developed in him from early childhood, was too strong, and every once in a while that "movin'-about fever" would get him. "It was like a thirst for drink," the Judge says, "and I told him that when he felt it he must come to me. Once or twice when I saw that the call of the road was too strong to be resisted, I let him take a ride as far as Colorado Springs and back." But that didn't always satisfy him, and he would throw up his job and "skip." It hurt him to do this; it was regarded as disloyalty to the Judge, and that was awful.

"One Sunday evening," the Judge relates, "word reached me that Lee was going to 'fly out.' This worried me so much that I started for his home. I

found his mother in tears. The Eel was gone.

"'He just couldn't stand it any longer, Judge,' she apologized. 'He lay on the floor there and sobbed just like he was in a high fever. "What'll the Judge think? What'll the Judge think?" he kept sayin'. An',' the woman added, 'he told me to tell you he'd write.'

"I went home much troubled, but the promised letters reached me, one from Albuquerque, then another from El Paso, a rapid succession of them. They were like wails from a lost soul. He implored me not to think he had 'thrown me down.' That was the burden of them all. He was coming back, he said; he just had to get on the move for a while, but he hadn't thrown me down. I wrote him not to steal, and he didn't. When he came back a month later, he showed me a letter from a man he had worked for to prove it."

There is more of the story, more triumphs and more disappointments, and there are more stories just like it, of other gangs. For all the time the Judge was devoting himself to the "River-Fronts," he was giving himself with the same devotion to his other "cases." And there were failures as well as successes, and the police and the cynics clung to failures. As the Judge says, however, the failures were really weak boys. "The husky kids, the kind the cops call 'dangerous,' they stuck with me; they showed the police that there 'ain't no really bad kids.' Bad? I believe," the Judge said, smiling and he quoted Riley:

"'I believe all childern's good
Ef they're only understood,—
Even bad ones, 'pears to me,
'S jes as good as they kin be!'"

He smiles as he quotes, then the smile disappears, and he adds, "And that's so of men, too."

"Yes, but," you say, "there *are* criminals born?"

"Yes," he replies, "there are criminals born, and there are criminals bred, minors and majors, too. But who bears them, and — what breeds them? What makes bad boys bad? What makes bad girls bad? And what makes men and women bad?"

That's his answer, another question: one question; the fortunate, fatal question which got Ben Lindsey into his fights with the dishonest opposition of Denver, the fights which — because he won them, he and the children, and because they led him straight to the cause of crime, juvenile and grown-up, too — have made the "kids' Jedge" of Denver one of the leaders of the great war that is going on in Colorado. The outside world couldn't understand last summer why the people of his State wanted the Judge of the Juvenile Court to run for Governor; nor why he was willing to take the nomination. The reason, as we shall see, was that Ben Lindsey is no mere philanthropist, but (in the true sense of the word) a politician; no mere saver of little victims of wrong, but a man leading men to destroy the opportunities for evil-doing, and to give all the children of men "a show" to "do good."

WOOD-DOVES

BY

LOUISE IMOGEN GUINEY

"I CANNOT soar beside, but must for ever suffer
Blue air athrill with thee to lap against my breast.
And dream it is thy wing."
— "Dear, sighs about thee hover:
Among the dewy leaves my longing is thy quest.
Yet, lone and far apart, shall we no joy discover
To travel the same sky, and by one water rest?
Say, mate in all this world?"
— "Ah, mute forbidden lover,
Ah, song I shall not hear!"
— "Ah, sweet unbuilded nest!"

KATY

THE REFORMING OF A BRIDEGROOM

A STORY OF THE PENNSYLVANIA DUTCH

BY

HELEN REIMENSUYDER MARTIN

AUTHOR OF "ELLIE'S FURNISHING," "THE CONVERSION OF ELVINY," ETC.

ILLUSTRATED BY ALICE BARBER STEPHENS

LAVINA'S most conspicuous characteristic was an overpowering and quite uncurbed propensity to set people right whom she considered to be in the wrong. Her youngest and prettiest sister, who had recently become Mrs. Gideon Lapp, was just at present in need of her attention. Mrs. Gideon was pursuing a course which must ultimately lead to her undoing, and Lavina was bent upon heading her off.

"She's getting her Mister that spoilt with her yielding ways — if I don't go over there this Easter vacation and learn her — teach her," she corrected her English, "the way she had ought to train that Giddy Lapp, she'll be so set in her weak ways with him

and he'll be so used to walking all over her (like all the other Dutch in these parts walk over their females), it'll be too late to mend."

This was Lavina's conclusion after the third letter received from Mrs. Gideon since her marriage to the widower, Gideon Lapp. Not that Mrs. Gideon complained of her "Giddy." On the contrary, she praised him in her letters as "a good purvider" and "a wonderful steady man." But in almost every line that she wrote she unconsciously betrayed to Lavina his sore need of wifely discipline.

"I ain't been on compny," she wrote her sister, "but except once since me and Giddy was married aready. Giddy he ain't much for goin. When he has his supper eat he likes to set at home, still, evenings, and read his paper. He won't do it to go even Sundays. Last Sunday me and him have been on church the first time since we was married aready.

"Giddy's so sneaky (choicy) about his wittles, I get all up-mixed makin his meals to suit him he's that partikkeller. That novel book you sent I didn't get read all. Giddy he don't favor novel readin and when he's setting readin his noospaper evenings, still, he says he'd sooner see me by the table sewin and makin good use of my time than wastin it on them novel books. So you best not send me no more of them novels Lavina fur all Ide like wonderful well to read through that there novel you sent me entitled Deserted at the Alter. That there villain in it wasn't he something fierce. The things he *done* yet! Why Lavina he was the worst man I ever seen before. But Giddy he don't want fur me to finish it through."

"To think," Lavina had exclaimed on reading this, "that she'd take that off of him! Him sitting there reading his paper, and Katy she hasn't the dare to waste her time reading a novel (with a good moral to it, too) but has to sew till bedtime! I'd teach him once! I'd tell him if I couldn't read my novel he hadn't the dare to read his noospaper, which is full of false lies, anyhow, and corrupting to the morals! If he'd give up his paper I'd give up my novels. Not unlest."

The letter containing this most disturbing of all Katy's revelations as to her submission to conjugal tyranny had reached Lavina that evening, and her perturbation over it was aggravated by the fact that the day had been a very unsatisfactory one in her school-room; for Lavina was the "upstairs teacher" in a village school of Upper Leacock Township in Lancaster County, Pennsylvania.

"As a success I'm a failure," she told herself severely when, after she had given an "Object Lesson" to show her geography class what a volcano was, the class, subsequently asked to define a volcano, had, to a man, answered that a volcano was a pile of sand with a shooting cracker stuck in the top; and when asked to write an account of how the mountains were formed, Sophie Schnabel had briefly inscribed her answer, "By God's almighty power." Lavina did not know how to mark such an answer as that. It couldn't be called incorrect. Yet it certainly was not scientific, nor would it pass in an examination. The question, "Describe how savage people dress," had brought the inadequate answer, "How they dress — they don't dress; only except a string of beads around the neck."

Such a day in school had so intensified her sense of Gideon Lapp's need of marital discipline that before she slept that night she firmly resolved to spend the approaching Easter holiday at Katy's in order to set her right in the management of her husband.

Lavina was the emancipated member of her family. Her two younger sisters and one younger brother had all submitted without question to the characteristic Pennsylvania Dutch parental authority which had condemned them to a life of drudgery on the farm, the most rigid economy, and scant schooling. Her father was well-to-do, and his refusal to allow her more education than the district school afforded had led to her rebelliously leaving home and "hiring out" in order to earn the necessary money for a term at "the Normal." The "hired girl" among the farmers' families of her acquaintance was a person of distinction in the household, so Lavina was not at all prepared for the sort of behavior expected of her by the fastidious town family by whom she was engaged as dining-room girl. She came near to being discharged the very first time she waited on the table, when, as she stood behind her mistress's chair, silver tray in hand, one of the young daughters of the

"'HE'D SOONER SEE ME BY THE TABLE SEWIN AND MAKIN GOOD USE OF MY TIME THAN WASTIN IT ON THEM NOVEL BOOKS'"

"'This here is my son Jakey'"

family made a remark about her geography lesson of that day, a lesson on glaciers, and Lavina, her sense of the duty of the moment overcoming her country shyness, suddenly lifted up her voice and delivered herself, over the head of her mistress, of a volley of district school-book information on glaciers, to the consternation of the family.

The lessons she received from this family in "learning her place" were a shock to all her public-school ideas of American equality. But her experiences with city gentlefolk revealed to her, by force of contrast, what her mind was ripe for perceiving — the uncivilized life led by many Pennsylvania Dutch women; their inhuman drudgery; their subservience to masculine authority; their dreary lack of pleasure and diversion, and their sordid economy; and from her domestic apprenticeship in the city, she came back to her own people a Reformer. Ever since that time, through all her experiences as a student at the Normal school and as village school-teacher, she had periodically swooped down upon one of her sisters or cousins with the fell purpose of putting them to rights where she saw they needed it.

II

"If Giddy come home unexpected and seen us settin' in here!" Lavina's sister laughed nervously, as, after opening the front-room shutters just enough to admit a faint ray of light (not enough to fade her best ingrain carpet), she sat down carefully on her elegant "stuffed" red plush rocking-chair, while Lavina, with an air of resolution, seated herself on the equally elegant and also stuffed sofa.

"Well? What if?" Lavina demanded. "What's a parlor *for?* To shut up dark and never use any? Is *that* what you furnished for? Who paid for your furniture, anyhow? Gideon Lapp? No! Pop, to be sure. Then what right has Gideon Lapp to say you haven't the dare to use your

parlor when you want? Every day if it suits you to!"

"He'd say the carpet would get some fadey fur me. And the stuffed furniture so pressed down."

"Well, what's carpet and furniture for?" Lavina reasoned patiently. "*Is* it made to use or ain't it? *I* ain't sitting in your kitchen, Katy Lapp! I'm used to better ways, and when I'm with you, *you're* goin' to have better ways, too. That long anyhow — till I go again. It'll maybe do you good."

"But you'll set with me and Giddy out in the kitchen, evenings, so long as you're here; ain't, Laviny?" Katy anxiously inquired. "Giddy, he won't do it to set in here in the parlor! He won't can home hisself in here!"

"Then leave him sit by himself if he has to act so common! Katy, you got to *teach* him once."

Katy gazed at her sister in mingled admiration and awe.

"I couldn't never speak up to Giddy," she shook her head dolefully.

"Nor to anyone else, Katy," Lavina reproached her. "If you'd demanded your rights off of Pop the way I did, you might be where I am — a school-teacher. Independent, instead of being a slave to Gideon Lapp. What did you marry *him* for, anyhow? If you had to marry someone, you could have done better than him — as pretty and as young as you are," said Lavina, with a softened note of sisterly affection.

"Och," said Katy coquettishly, "I married him to get rid of him oncet!"

"A mighty poor way to get rid of a man! I couldn't think of a poorer!"

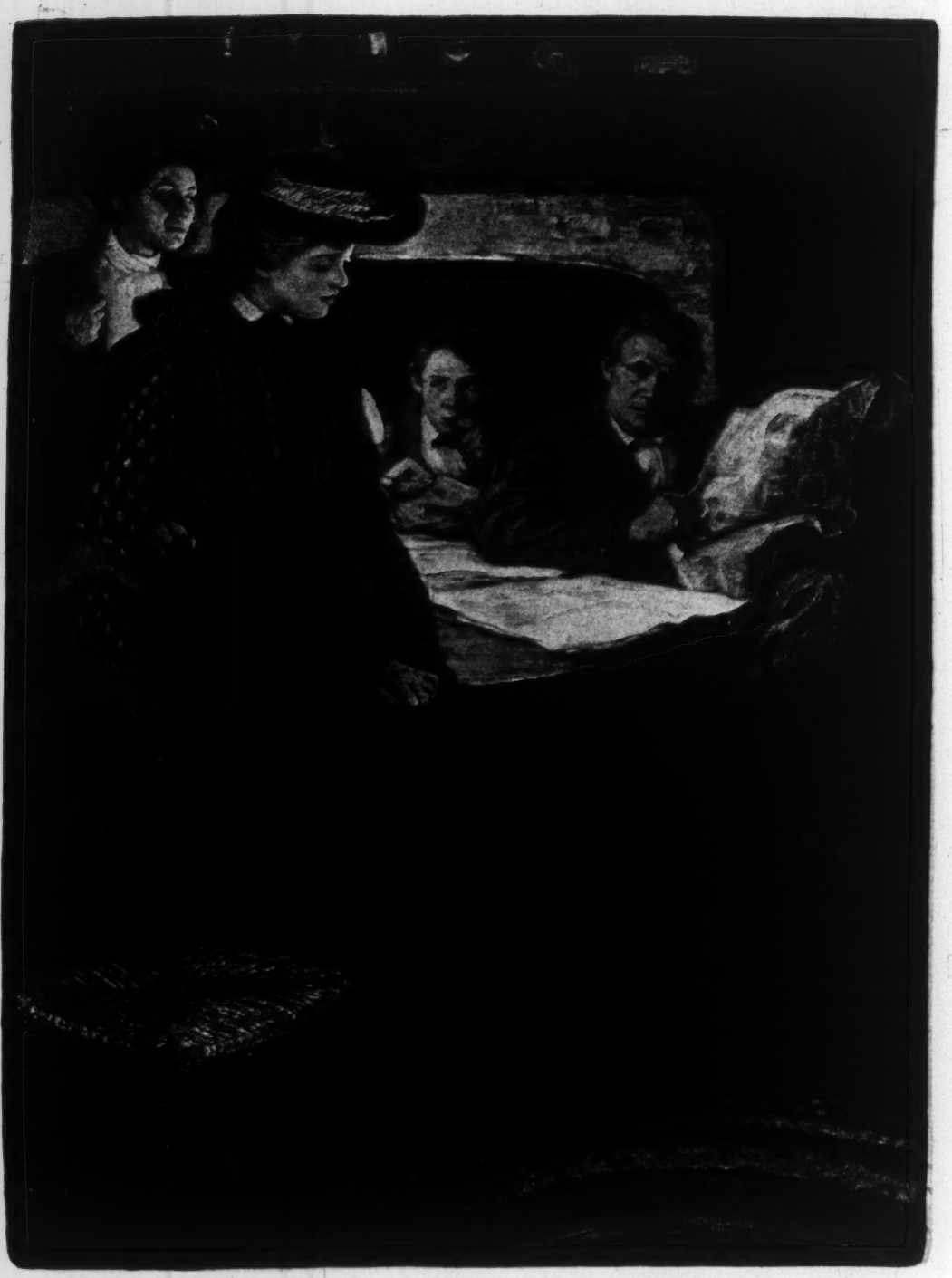
Katy sighed. "That's so, too," she admitted.

But "poor-spirited" as Mrs. Gideon looked, she was not, apparently, the unhappy victim of marital tyranny that Lavina determined to consider her. Her evident contentment in her state of bondage, and her entire acquiescence in everything against which she ought to have rebelled tried Lavina's patience sorely. For instance, why, in the face of all the causes for dissatisfaction which she had been pointing out to her, should Katy just now be gazing about her front room with a countenance of complacent pride, instead of indignation, the sentiment she ought to feel against a man who would presume to keep her from using freely any room in her house she pleased to use — especially one furnished by her own father? Lavina almost despaired as she saw how little impression her emancipated views had made upon her sister.

Even in Lavina's eyes Katy's parlor was truly elegant. The crayon portrait of

"'You took and spent the house money!'"

Gideon's first wife (of quite inhuman outline) on a white and gilt easel was a most desirable piece of furniture; the easel had been purchased by Katy at the ninety-nine cent store. Over the top of the portrait a scarf of cream bunting was artistically draped, tied in the middle with pink satin ribbon. On a low table, set like a shrine before the easel, stood a floral tribute made of wax, technically known as "The Vacant Chair." A highly decorated china cuspidor,



"'"WHAT YOU GOT YOUR THINGS ON FUR?"'"

a chromo of McKinley with apoplectic complexion, a row of china ornaments on the mantel, a framed motto, "We Mourn Our Loss"— with a weeping willow in the center, worked on canvas in zephyr — these were the objects in which Lavina, as Katy's sister, could not help feeling an excusable pride.

"I wonder if Melinda Sourbeer's front room's as handsome," Katy remarked meditatively. "Do you think?"

"Katy Lapp! Do you mean to say you haven't been over to Melinda Sourbeer's since you married and came to this neighborhood — and Melinda your cousin yet!"

"Giddy, he ain't much fur goin'," Katy weakly answered, cowering before Lavina's disapproval.

"Then why don't you go without him?"

"He ain't much fur me goin' neither. He says he feels wonderful contented stayin' home with me."

"With you sitting by mending his old clothes while he reads his noospapers!"

Katy could not deny it, though she looked apologetic.

"It ain't the point whether *he's* wonderful contented," pursued Lavina. "The point is, are *you* contented staying at home with him?"

Katy sighed. "I never follow pleasure no more, Laviny, I don't even think about pleasure no more. And I'm goin' backwards — I'm less fur pleasure every day. I'm just gettin' *dumn!*" (stupid).

"How far does Melinda live?" Lavina demanded.

"Just over the church."

"All right — you're going along with me after supper to see Melinda."

"Mister, he won't want me fur to do it."

Lavina set her lips. "It's well I came here when I did, Katy! You're getting that man so spoilt up! You *started* wrong. It ain't too late yet to mend your ways with him, but if it had went — gone — much longer, you couldn't ever have done anything with him. You're just training him to be selfish and make a slave of you. Yes, it's well I came when I did."

"What are you going to do, Laviny?" Katy wonderingly and fearfully inquired.

"Teach you how to take your rights and not be walked over."

"I'd sooner live peaceable."

"But don't you see it's your duty not to make him so selfish? And, Katy," confidentially, "he'll think enough more of you for not letting him down you. Teach him to *respect* you, Katy," said Lavina with an air of hauteur.

This was an idea too foreign to be grasped by an unemancipated Pennsylvania Dutch feminine mind.

"'Respect' me, Laviny! Why, I'm only his woman!"

"And who should a man respect more than his wife?" Lavina reasoned ungrammatically.

Katy gave it up.

"Look here, Katy, leave us go to town this after and shop."

Katy's eyes sparkled. "O Laviny! I wisht I could! I ain't been to town to shop since I was married, it's two months back. But Giddy's work's so early done, he gets home till five o'clock a'ready, still."

"We can get back till five if we start right away."

"If we missed a car and was late gettin' home!" Katy suggested apprehensively but wistfully.

"Then Giddy will wait for his supper till he gets it, see?"

"O Laviny! He'd have so cross at me!"

"Leave him!" (Let him).

"O Laviny!" Katy sighed.

"Come on up and get your things on."

"If you wasn't here, I wouldn't dare to," said Katy, as with mingled eagerness and trepidation she yielded.

"Wouldn't dare to go to town when you want?"

"Giddy, he ain't much fur me goin' nowheres. He'd ruther I'd stay home and do the work."

But under the spell of Lavina's stronger will, Katy entered with girlish pleasure into the shopping excursion.

"Where's your purse, Katy? Take your money with," Lavina admonished her as they were about to start.

"I ain't got none — only a couple dollars house money."

"Don't he ever give you spending money for yourself, as well-fixed as he is?"

"When I ast him fur somepin I got to have, he'll mebbe give it to me, if he's sure I need it bad."

"I'd run him in debt till he'd give me such an allowance! I'd plague him till he did what I wanted!"

"O Laviny!"

"Spend that house money this after, and he'll have to give you more."

"Oh, I darsent!"

"*Take* the dare!"

"'So sends Mister his Jakey over to fetch yous!'"

When they reached the town, the temptation of the shops, together with Lavina's strong backing, was too much for Katy, and she recklessly squandered over two dollars in gewgaws.

The reaction from her high spirits set in on the way home.

"We won't be back in time for me to get on my old frock before Giddy gets home," she lamented. "If he didn't see me dressed, he needn't know we went this after."

"He'll have to know it when you tell him the house money's all," said Lavina.

"Mebbe you'd leave me borry the loan of them two dollars off of you, Laviny," Katy timidly suggested.

"How would you ever get the money to pay it back, without you told Giddy about it?"

"That's so, too," sighed Katy.

"Why should I — a self-supporting, hard-working female — pay Giddy Lapp's wife's bills, and him so well-fixed? It ain't the two dollars, Katy. If you needed money I'd share my last dime with you, and that you know. But I ain't giving Giddy Lapp a *nickel!* And I ain't encouraging your foolish ways with him."

"I wisht," Katy monotonously repeated, "I could get my workin' frock on before he comes home. But it's gettin' late on us; ain't?"

"Now see here, Katy — just you keep this here dress *on* (you won't dirty it any just getting a little supper) and face him out with it. Just tell him cheerful, 'I was to town with Lavina this after' — take it perfectly natural — and what *can* he say?"

To Lavina's surprise, Katy broke into a paroxysm of laughter.

"Well?" Lavina inquired. "What's comic about it?"

"How Giddy'd look, yet, if I tole him just off-hand and cheerful that way, 'I was to town!' — without astin' him dare I! He'd be that wonderful surprised!" — and again her laughter made her helpless.

"Well, then, up and do it, if it's so comic," Lavina urged.

"I wisht I *could* oncet," chuckled Katy. "If a body hadn't such nervous feelings when they go to do them things!"

"You wouldn't have to do any of those things more'n a couple times, Katy — he'd soon get taught."

When they reached home, Gideon had not yet arrived, and Lavina did actually succeed in persuading Katy not to change her dress.

"You'd have to put it on again to go to Melinda's after supper," she reminded her sister.

"Mebbe Giddy won't leave me have dare to go to Melinda's," Katy feebly demurred.

"You just leave me manage it, Katy. You have your joke and your laugh in telling Gideon you were to town and are going on company to-night (you think it's so comic), and I'll manage *him* if he makes anything." (makes a fuss).

Gideon and his sixteen-year-old son came in while they were setting the supper-table. He was a stout, comfortable looking man of middle-age, the good-natured expression of his commonplace and rather heavy face indicating that his shortcomings as a husband were due to the influences of environment rather than to natural baseness.

He greeted Lavina stolidly, but kindly.

"Katy had wonderful glad when you wrote her off a letter that you was comin' till Easter," he said cordially. "This here," indicating his heavily-built, awkward son who hung back, overcome with shyness, "is my son Jakey."

Jakey limply shook her hand and then slunk into his place at the supper-table.

"Why, Katy!" Gideon's surprised glance fell upon his wife in her best blue dress. "Did you put on your best frock because Laviny was comin'?"

"Yes," said Katy, perjuring her soul. "Where have I my jug put?" she quickly added to divert his attention. "Have I it set on the table? Och, yes, there it is. Supper ain't quite fixed all, Giddy. The potatoes ain't made quite."

"Is it that you was mebbe settin' round talkin' to Laviny till it got late on you — ain't?" he asked suspiciously and with a note of disapproval in his voice.

"To be sure I'd set a while with my sister when she come," Katy answered with quite unwonted spirit; and Lavina rejoiced inwardly at seeing that her instructions were taking effect.

"It won't do your best frock no good — makin' supper in it," Gideon remarked disparagingly.

"You think?" Katy retorted disrespectfully.

With her first word of self-assertion, something within her had seemed to break loose, and a sudden buoyancy of spirit stirred her such as she had never known before in all her life.

Gideon stared. "Well," he grunted, "hurry on and make the things on the table. Have you the butter and milk up cellar?"

"I brang them up this long time a'ready. They're on the sill settin'. I must cut my bananas now. Laviny, she likes bananas so sliced and milk with."

"Bananas costs expensive," Gideon objected.

"You're well-fixed enough, Giddy," Katy defied him.

Gideon's jaw fell in astonishment. But his attention was attracted by an unfamiliar object on the table. "What's this here?" he demanded, picking up a new dish and examining it. "Did Laviny bring you this along fur a present?"

For an instant "the Enemy" (the Devil) assailed Katy, and she was tempted to lie ignominiously. But after a moment's struggle she conquered not only the Enemy, but her own cowardice.

"Ain't it a fine thing of a dish, Giddy? I got it at the ten-cent store. It looks handsome on the table, ain't?"

Gideon regarded her coldly. "When was you at the ten-cent store?"

"This after. Laviny, she asked me would I go in town along with her."

Gideon strode over to the dresser to wash his hands. "You let all your work standin', did you?" he asked over his shoulder.

"I had it through all before I went."

"I guess you could of found a plenty to do if you had of wanted to find it."

"But you see, Giddy," she retorted with a perfunctory cheerfulness of tone, "I didn't want." And Katy shrieked with laughter at her own audacity, while Gideon looked amazed and angry.

"Where did you get the money to spend?" he demanded.

"I took the house money. You never let no money fur me, Giddy," she complained.

"You took and spent the house money!" he asked in consternation, while his son heard, with dropped jaw, this unwifely defiance. "How much did you spend all?"

"Two dollars and fourteen cents," Katy boldly answered.

Gideon's face flushed up to his hair. "What d'you buy all?" he inquired huskily.

"Some collars and cuffs like what Laviny has. They come to a quarter. Then I got

such a centerpiece — wonderful stylish — fur the parlor table. And a sofy cushion with Dewey on. And some dishes and some ribbon."

Gideon could hardly believe his ears. "All without astin' me dare you?"

"I'm of age, I guess, Giddy," she pouted. "Do I work all day at the shop fur you to fool away my money where I earn and waste your time so's you don't earn your keep?"

Lavina's face flushed as dark as Gideon's at these words, and she set her lips and turned her back on him very expressively.

"We've been married together two month, Giddy," said Katy, "and them two dollars is the first money of yourn I spent on myself. And it's the first time I was to town since I went with you in to say 'Yes.' So you ain't got no need to jaw."

"If you want to spend, you ast me first," he said with decision. "I ain't makin' up that house money to you. You'll have to get along without."

"That'll be your loss more'n mine, Giddy. It's *you* will miss the good wittles on the table. Most anything does *me*."

The supper passed in a constrained silence, broken only by an occasional exchange of forced remarks between Lavina and Katy. Gideon thought, by maintaining a dignified demeanor, to crush in his erstwhile dutiful spouse this new spirit of unwifely insubordination. It was "that Laviny," doubtless, who had "put Katy up" to this strange and quite impossible behavior.

But Katy had tasted of the sweets of independence and was not to be so easily crushed. Gideon's lack of conversation left her apparently unconcerned, though to be sure she was not without some internal quakings at her own temerity.

After supper Lavina and Katy hurried "to get the supper dishes through," and Gideon, with a deeply offended air, seated himself by the kitchen lamp with one sheet of the newspaper, while his son, Jakey, took the other sheet.

Behind Gideon's back, Lavina, as she dried the dishes, executed a pantomime expressing her determination to take Katy over to their cousin Melinda's. Katy moved her lips in a soundless protest that she must draw the line somewhere. But Lavina succeeded in overcoming her objections.

When their work was finished, instead of drawing about the lamp, they both went up-stairs, coming down in a moment wearing their hats and coats. Katy's face was flushed and her manner nervous. She feared she was going too far.

Gideon's eyes grew stony when he looked up from his paper and saw her.

"What now?" he inquired, with ponderous disapproval in his tone and countenance. "What you got your things on fur?"

"Fur goin' on company, Giddy," Katy tremulously answered. "Me and Laviny conceited we'd go to Melindy's over."

"I don't want you fur to go over there," asserted Gideon autocratically. "You've been runnin' more'n enough to-day a'ready. Ain't all afternoon enough to do you? — without you must be goin' evenings, too? You stay at home and do your sewin' or snitzin' or whatever."

"Laviny won't be here but a couple days, Giddy, and she wants me to go with — to Melindy's."

"I don't want you fur to go this evening. I tell you, you wasted enough time to-day. I don't believe in these females that's so much fur *goin'*. You just set at home."

Katy wavered and looked at her sister for support.

"Are you ready for going, Katy?" Lavina inquired, moving toward the door.

"Yes, *I'm* ready," Katy forced herself to answer bravely, though she trembled as she followed her sister across the room. "Giddy," she turned to speak to him plaintively, "you haven't the dare to make me stay home *all* the time."

"You mean to tell me you're goin'?" he demanded incredulously.

"Yes, I'm goin', Giddy," she defied him, but there were tears in her voice.

"The paper wants rain," he put up an objection.

"Then we needn't take umbrellas or gums" (overshoes), said Lavina sarcastically. "It'll be clear till we get back."

"You're slightin' your work to go runnin'," Giddy rebuked her scathingly. "They ain't a coal up fur the kitchen fire. Mebbe it'll go out till you're home a'ready."

"What's the matter with *your* bringing up a bucket of coal, Gideon," suggested Lavina pleasantly.

"It ain't fur the Mister to do the housework," Gideon growled.

"Well, if the fire goes out for want of coal — with you two able-bodied men sitting here loafing over your noospapers —

it could *go* out — and *stay* out, too, before *I'd* ever make it up again. Come on, Katy."

She laid her hand on Katy's arm and drew her after her as she opened the door.

"Look at here! How long are yous going to stay?" Gideon angrily inquired.

"I don't know right what fur time we'll be back," Katy answered flippantly, her stock of courage reinforced by Lavina's support.

"Yous be home till nine o'clock," commanded Gideon threateningly.

"We'll be home till we please, Gideon," said Lavina.

"I'm a-goin' to outen the lights and lock the doors and windows at nine," he affirmed. "If yous ain't here yous can stay out all night!"

Katy again wavered at this and would have backed out, but Lavina drew her on.

"If he locks us out, I'll take you home with me, Katy, to Upper Leacock."

"O Laviny!" Katy gasped, but she allowed herself to be led away — while Gideon, nonplussed, gazed after them in dumb amazement and displeasure.

III

Katy's enjoyment of the unaccustomed dissipation of a visit to her cousin Melinda at the other side of the village, was much tempered by her anxiety as to the outcome of her insubordination.

Melinda received them in her kitchen, her parlor fire not being lighted, and all Pennsylvania Dutch kitchens being living rooms as well.

Katy kept her eyes so glued to Melinda's kitchen clock to watch the approach of nine (at which hour Gideon was going to lock the house) that she lent a very absent mind to the animated talk between Melinda and Lavina, and she took little part in it herself, though she and her cousin, being nearly of an age, had always been intimate.

On the way to Melinda's, Lavina had maintained that they must, in order to establish Katy's wifely independence, stay out past the hour at which Mrs. Gideon had been commanded to return.

"You got to teach him, Katy. You can't begin earlier. And once you're got him taught, I don't believe you'll have any more trouble with him. Giddy Lapp ain't a *bad* man," she conceded. "I've seen worse."

"Well, I guess!" loyally cried Katy. "I guess *mebbe I*" she emphasized her loyalty.

"But I guess you see now, Katy, you didn't get rid of him by marrying him."

Almost on the stroke of nine there was a loud knock on Melinda's kitchen door which startled them all and brought a little hysterical shriek from Katy in her nervous apprehension of retribution.

"I wonder who's comin'?" Melinda speculated as she went across the room to the door.

A gruff voice spoke to her from out the darkness of the porch.

"Is the folks ready fur goin' home, Pop says to ast yous."

Melinda turned her head and called over her shoulder to her cousins. "So sends Mister his Jakey over to fetch yous!"

"You tell Jakey we're not ready yet," promptly and firmly answered Lavina. "When we're good and ready, we'll come."

"It's nine o'clock," said Melinda inhospitably and in consternation at keeping such late hours.

"That don't matter anything. We ain't going till a while yet," returned Lavina, while Katy looked rather wretched.

"Supposin' we get locked out fur all night!" she whispered.

"Then we'll just come back here and ask Melinda to keep us. Or we can go to the *ho*tel and charge it up to Giddy."

Katy giggled hysterically. To go to the hotel and charge it to Gideon would be an audacity bordering on the "comic."

Jakey went away, and Melinda returned to her callers.

"Won't your Mister have cross at you, Katy?" she inquired. "Mine, he'd jaw somepin wonderful if he sent fur me over and I didn't come! I get every morning up at four o'clock, still, and he'd say I hadn't the dare to set up so late or I couldn't fall awake till four o'clock yet. He's in bed now, and I guess he's fussin' at me not comin' too."

Melinda looked sleepy, but Lavina would not have pity on her and take her hints.

"I'd soon teach him to leave me be to do as I pleased," she affirmed, putting in a missionary stroke for Melinda's benefit. "Don't he do what *he* pleases?"

"But he's the Mister."

"And you're the Missus. What's the difference?"

Melinda shook her head. "Mebbe them's city ways, Laviny, but they wouldn't do us country folks. Ain't not, Katy?"

"I guess we're a little dumn, too, Melindy, to take it off our Misters to use us the way they do still," Katy said.

"*Does* Mister use you ugly, Katy?" Melinda inquired in surprise. "It was always put out that Giddy Lapp was good to his first wife, fur all she used to say, still, he don't *make* much" (is not demonstrative).

"He's good to me, too," Katy hastened to reassure her. "But he's got the same ways about him where all the men's got around here to their females. Laviny, she don't uphold to them ways."

"Well," Melinda said conclusively, disparaging these revolutionary ideas, "you can't make the men over. It's their natures to be wonderful mean that way."

"Then it would be my nature to be wonderful *meaner* — till I got 'em cured once," said Lavina.

By half-past nine Lavina decided that discipline had been sufficiently maintained, and she rose to take Katy home.

"I wonder," said Katy nervously, as they felt their way along the dark country road toward the other side of the village, "if Giddy did take and do it."

"You mean lock us out?"

"Yes; mebbe he didn't fur all," she said hopefully. "But," she sighed, "he's a wonderful set man — Giddy Lapp. He most always generally does what he says he'll do."

"Now look at here, Katy," Lavina prodded and fortified her, "if Gideon does leave us in to-night, I want you to pass me your promise you won't speak pleasant first. Don't you leave on you care. You hold out this once, and you'll have him minding to his own business after this and leaving you tend to yours. If you stick up for your independence and self-respect," Lavina said impressively, "just once — Giddy Lapp won't give you no more trouble. He'll leave you come and go where you want. When you go up-stairs to-night — if he leaves us in — just you don't speak to him till he speaks first. Pass me your promise, Katy."

"I don't know if I kin hold out, Laviny. I sure don't want to leave Giddy go to sleep without speaking me good-night."

"Not even for the sake of having your own way ever after, Katy?"

"I ain't so sure it *will* work him that way."

"Well, *I* am. I know the male mind pretty good, for all I'm single. To be sure it ain't because I ain't had my chances."

With a little further pressing, Katy was induced to "pass her promise," and then Lavina felt joyfully sure that her mission in this Easter visit had not been in vain.

When they reached home, every window in the little frame house was dark.

"Giddy and Jakey's both went to bed a'ready," said Katy, her voice unsteady.

They tried the kitchen door first. It was locked.

"Leave us try the front."

The front door, too, was locked, and every shutter bolted.

"He'll get up and leave us in," grimly declared Lavina, "or you're going home with me to stay till he comes after you."

She pounded on the door and rattled the knob violently, then standing out from the step, she called at the top of her lungs, "Gideon! Gideon *Lapp!*"

"Now, Katy," Lavina quickly instructed her sister, "when he comes, *you* speak up and tell him to leave us in im*me*jutly!"

After a moment a shutter was pushed open in the second story.

"What's wanted?" growled the master of the house, leaning out in his night-shirt.

"Giddy! You come on down and lock this here front door open!" called Katy.

"Umph!" Gideon answered in a deeper growl, "I don't have to!"

"Yes, you do, Giddy. Or either I go to Upper Leacock with Laviny to stay till I'm good and ready to come home."

"You haven't the dare!" snarled Gideon.

"I'll take the dare. You better come and open."

"I've a mind to make you stand there all night — fur the way you're actin'!" he retorted.

"But I won't stand. I'll walk. To the station to go along with Laviny. Are you comin' to make the door open?"

"Well," Gideon grumbled, "wait a minute."

They had to wait so long, while he got into his trousers, that Lavina was tempted to suggest that they give him the surprise of finding them gone when he did come; but she curbed her impatience, deciding that, after all, his reformation could be better accomplished by their remaining.

Gideon jerked the door open and, not waiting for them to enter, stalked away and went up-stairs again without a word.

"Now you mind your promise you passed me," was Lavina's parting admonition to Katy as they separated at the latter's chamber door. "Don't you speak first."

"All right," said Katy. "But mebbe when you ain't by me, I won't feel fur bein' so spunky-like."

"But you passed your promise. And a promise is a promise."

"Yes — that's so, too."

Katy's heart was sore when she joined her lord in their bed-chamber. She was a peaceable creature, and this coldness between her and Gideon weighed heavily upon her soul.

Gideon was in bed with the covers drawn over his head. Katy sank into a chair beside the window and disconsolately leaned her cheek on her hand. Although Gideon did not stir, she knew that he could not possibly be asleep. Her heart beat heavily in her bosom. Were she and Gideon to miss their customary loving good-night? The thought was abject misery. Why had Lavina come here to make this disturbance between them? She could not bear to have him "cross at her." Rather, far, that he go on treating her with what Lavina called "disrespect." Should she break her promise to Lavina and speak to him?

No — she could not do that. As Lavina had truly said, "A promise is a promise." And her taste of freedom and pleasure, to-day, had whetted her appetite for more. Perhaps, after all, Lavina was right, and if she held out to-night Gideon wouldn't "bother" her so much after this and would not oppose her "going," now and then.

Suddenly she felt herself drawn into Gideon's embrace. He had slipped out of bed and had come up behind her.

"Katy, you little feist! I believe you *would* leave me go to sleep without speaking!"

He kissed her roughly and shook her playfully. "Will you make up?" he demanded, as she, in a relief from anxiety that was bliss, clasped her arms about his neck.

"O Giddy! Ain't you no more spited at me?"

For answer, he again kissed her. "I know I get too quick cross," he acknowledged; "but when it comes I can't help it no more. I haven't cross at you now, Katy."

And so they rested in peace.

When, next morning at the breakfast table, Gideon invited Lavina to prolong her visit, Lavina knew that the object of her coming to Katy's had been thoroughly accomplished.

"But, Giddy," she said regretfully, "I got a return ticket, and it calls for me to go back this after. I'm wonderful sorry. Say, Giddy," she suddenly declared, "I'll just stay over and *let* that ticket. I'd sooner."

Gideon chuckled. "Won't that be one on the Pennsylvania Railroad!" he cried. "Fur you to have bought your ticket fur going back to-day and then not *go* back to-day! Say, Laviny, they'll be hot when they find you didn't go back — ain't? They're such a tyrannicky trust that way, it'll just serve 'em right to get good fooled oncet!"

He seemed to take such pleasure in contemplating the confusion of the railroad corporation when they should discover that Lavina did not turn up according to the terms of her ticket, that she, in her gratification at the success of her earnest efforts to reform him, repressed her pedagogical inclination to expound didactically to him that her not using the ticket would be her loss and not the Pennsylvania Railroad's, — which was an act of forbearance on her part to be measured only by the extent of the reformation she felt she had worked.

THE WORLD LANGUAGE

BY

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A GERMAN SCHOLAR'S PROTEST AGAINST SIMPLIFIED SPELLING

THE Simplified Spelling Board has every reason to spell Success with a capital. President Roosevelt marches in front of the army, brilliant scholars carry the colors, eminent authors beat the drum, great dictionary-makers belong to the general staff, and Andrew Carnegie looks after the pay-roll; a triumphant progress is thus certain. And even though a word of comment may yet seem proper for one or another who hates to learn anew, certainly the foreigner, at least, ought to keep silent; and one who, like me, spoke the first English sentence of his life only after having been made a professor in Harvard University, should be the last to venture an opinion.

Yet the Simplified Spelling Board says solemnly: "The Board expects and welcomes criticism; it asks only that the criticisms shall be made after and not before the critic has read the publications of the Board." And if in critical mood you turn to the Board's publications, you find very soon that the foreigner is not by any means so negligible a quantity in the matter of spelling. Take the first Circular which the Board has published; you need not read more than the first paragraph, to perceive that after all we "strangers beyond the seas" are very near to the heart of every simplified speller. The opening of the first proud proclamation reads as follows: "All whose mother-tongue is English believe that, if it is not unfairly handicapped, it will become the dominant and international language of the world. For this destiny it is fitted by its use as the medium of the widest commerce and the most progressive civilization, by its cosmopolitan vocabulary, and by its grammatical simplicity. No other existing speech, and none of the proposed artificial international languages has the same adaptability to such a use. There is, however, a wide-spread and well-grounded conviction that in its progress toward this goal our language is handicapped by one thing, and only one — its intricate and disordered spelling which makes it a puzzle to the stranger within our gates and a mystery to the stranger beyond the seas. English is easy, adaptable, and capable of many-sided development: its spelling is difficult and cumbersome."

Does Simplified Spelling "Simplify" English for the Foreigner?

Does not such an introduction of the Board's work give to every well-meaning foreigner the right to look with his own eyes into the matter? As regards that question which the Board first raises (i. e., simplifying the task of the foreign student of English), no one in the long honorary list, from Chancellor Andrews to President Woodward, seems to be such trustworthy authority as any little school-boy in France or Germany or Italy. Is it true that the difficulties which the foreigner encounters in acquiring his English are those which our simplifiers are going to remove? This pretension, at least, I venture to deny with full conviction. Professor Brander Matthews and his followers have given out the three hundred words which are to be improved. Send them over to the boys and girls "beyond the

seas" who are grinding at their English grammar to-day, and tell them that the happy day has come when their despair shall be ended. But they will shake their heads. They will feel as if you had told them that their history learning was too heavy a burden, and that therefore, in future, the teacher would omit the little anecdotes from the lives of the heroes. No, for them the spell which needs dispelling is not misspelling.

The fundamental difficulty of English for us foreigners is, of course, the pronunciation; then comes the abundance of synonyms, then the many characteristic idioms and, certainly of minor importance, many tricks of spelling, — but not the spelling of such words as the famous three hundred words. Let us not forget that the foreigner — I do not speak of the hotel waiter — sees the English words before he hears them; and that makes all the difference. To him, the words are, for a long while, the printed letters on the page, and he has thus no other natural interest than that those words shall suggest as much as possible of their meaning and their internal structure in their outer appearance. The more hints and signs there are to indicate which is which, the more easily he will find his way in the wilderness. The more vividly the analogies, not of sound but of grammatical formation, are felt in the look of the words, the more quickly he will feel familiar among the strangers.

"Ed" Ending a Helpful Landmark to Foreign Students

Let us take an illustration referring to a large proportion of the three hundred words destined for mutilation. For the school-boy, who begins with the conjugation, nothing is easier than to learn that the ending "ed" indicates the participle. Nothing, perhaps, gives to the eye of the foreign reader such a feeling of safety. That is now gone; the poor boy will have simply to learn by heart the sixty-two new verbs whose participle goes in future without this "ed-" ification. I hear whole classes reciting sadly, "Exceptions from the rule of 'ed' are *addrest, affixt, blest, blusht, carest, chapt, clapt, clipt, camprest, confest,* and so forth." And if the grammar copies its information from the Circular of the Spelling Board itself, those poor children will read the list of exceptions in a paragraph which itself contains the participles *spelled, mentioned, handicapped, ignored,* and others which seem to them of the same order. There remains for them no other consolation than the thought that these are just "the exceptions," and that their Latin grammar has somewhat accustomed them to consider exception as the legalized cruelty of grammarians; but that such new punishments for foreign children should be invented in Madison Avenue, New York, would strike them as surprising.

The More Words Look Alike the Harder the Student Finds Them

But even if with a few weeks' additional training the new exceptions are memorized in addition to the old ones, does it not still remain that the foreigner has lost by this change his possibility of quick and easy orientation in the seen sentence, — which alone was his purpose? He has not in mind a well pronounced sentence which he is trying to write down. Just the contrary: his pronunciation remains for a long while so incorrect and poor that any caricature of spelling would be for him sufficiently phonetic. What he needs is to be able to recognize clearly the inner relations of the words on the printed page. That alone can attract the foreigner, and every difficulty in such a direction makes him shrink from the foreign idiom. But can we doubt that the alteration of the sixty-two participles works diametrically against his comfort? *Kist* is now to be written like *list, prest* like *rest, discust* like *disgust.* Even the obscuring words with a double meaning have been increased: *mist* is now *mist* and *missed; past* is now *past* and *passed;* and yet nowhere unity: *wisht* but not *fisht, winkt* but not *linkt.* You could not make it worse for the foreigner; whether pleasant for the English-born, it is not for me to utter an opinion.

The vowels do not fare better than the consonants. Of course, the English child, who hears the simple sounds of *though* and *through* in the nursery and learns much later how to write them, may be irritated by the complexity. But the foreign school-boy who sees words of that type has not the slightest difficulty with them. To learn how they are pronounced is very easy because they stick in the imagination just through their curious configuration: no German or

French word looks like them — they are taken as interesting freaks of language, which are the more impressive on account of their very originality. Just so it was easy for us, in the geography lesson, to read the word "Worcester." Such grotesque abnormities are quite handy for the foreigner. Now he is suddenly to see the word *tho* written like *who*, and once again he loses a convenient landmark in the printed sentence. But perhaps he is still more puzzled by *thru*, when he is required to speak it like *shoe* and *true*. And with the edict of the Board that *clew* become *clue*, *queue* become *cue*, and *woe* become *wo*, the helps for the eye are gone. You have only to write the three words *to*, *two*, and *too* simply *tu*, in harmony with *thru*, to make the phonetic victory complete. Is this a help to the foreigner who asks nothing but to see with ease the differences between the words?

The Psychological Objection to Systematic Simplification

I started to speak only as a German, but at this point I am strongly reminded that I have not only a nationality but also a profession; I feel inclined to add a word as a psychologist. If you want to bring about the understanding of a written or spoken sentence, do not believe that it is most quickly reached by a straight approach. In geometry it holds true that a straight line is the shortest way between two points; in practical psychology it is mostly not true. The natural language knows that, and always avoids the simplest means because they are not sufficient for our mental make-up; the mind needs helps and hints and side-lights, and the more complex the suggestions, the easier and firmer the grasp.

The phoneticians habitually make here, in questions of writing, the same mistake which the inventors of artificial languages have always made in questions of grammar. The heralds of Esperanto assure us, for example, that it is a defect of such badly manufactured languages as Greek and Latin, or German and English, that the same grammatical relation has usually been expressed in various ways at the same time. For instance, when the substantive is in the plural form, it is a ridiculous waste of human energy, they say, to put the verb in the plural, too. If we say, "the child cries," and "the children cry," we indicate by two different methods that it is in one case one baby, in the other case several. If we change the verb, we may leave the substantive unchanged, or vice versa. The artificial language, of course, interdicts such foul play. Yet, while all this might be true for some improved variety of beings, simple psychological experiments can prove that it does not hold for our particular brand of soul. One stimulus does not work easily enough with us; we need a certain superfluity of suggestion. Otherwise, it would not be so difficult to read proof: we overlook the misprints because the wrong letter does not strike us, since a letter by itself comes to our consciousness only by special effort. Every individual letter is strengthened by its neighbors. In the same way, every grammatical point must be brought out repeatedly, one hint must help another, and if two children cry we must say at least twice, in the substantive and in the verb, that it is not one child. Otherwise, we should need an excessive strain of attention, such as the proof-reader needs for the scrutiny of his text, and reading and listening would become an exhausting labor.

In just this way the written image may tell us much which seems logically superfluous (since it brings out elements of the word that cannot be pronounced), and which phonetic spelling seeks to abolish. But just as well might we propose to close one eye in reading, for the reason that the nervous processes in the second open eye and in the corresponding half of the brain are a shameful waste of neuron-activity. Indeed, we can read "just as well" with one eye, and hear with one ear; and yet nature knew better: this luxury is economy. Give us as many optical hints for the discrimination of the words as possible, and the more we apparently waste, the more we save. Simplicity and uniformity are the only real waste, because they demand from us an amount of attention which is ruinous in its cumulation; they perhaps reduce the expense for printer's ink; but they increase neurasthenia among the millions of newspaper readers.

Shall We Destroy the Historical Flavor of Words?

And, quite by the way, is really nothing to be said for those sybarites who like to indulge in the luxury of superfluous letters

for the historical flavor they give the word, even where they are not needed for its easier grasping? Our simplifiers want us to write *good-by;* but when the last *good-bye* has been spoken, will the simpler form still bring to our imagination the suggestion of "God be with you"? And when *fantom* is written like fan, and *prolog* like a kind of log, and *subpena* as if it were ashamed of its Latin, and so on, do not most of the overtones disappear? Moreover, even these historical side-lights help toward quick discrimination; anything which stands for difference will help to distinguish, and that alone is the purpose. It may be easier to rush with an automobile through the American cities with their rectangular, parallel streets, one block exactly like another; but it is certainly much easier to know at every moment where we are, in the picturesque, irregular streets of Europe, which show the growth of eventful centuries. If superfluous letters must go, why not, at least, begin where no such historical reminiscences are in the way? It is, for instance, well known that the *g* in *foreign* stands there without any historical justification; but it is just these perversities of spelling that our Spelling Board leaves unsimplified.

Let us return to our Circular. We know its first paragraph appealing to the foreigner. The second paragraph changes the topic entirely; and yet, I am afraid, it is the German again who is most nearly touched by the discussion. I thus feel justified in going on with my quotation of this first pronunciamiento. The Circular continues as follows: "Apart from its relation to the foreigner, our intricate and disordered spelling also places a direct burden upon every native user of English. It wastes a large part of the time and effort given to the instruction of our children, keeping them, for example, from one to two years behind the school children of Germany and condemning many of them to alleged illiteracy all their days."

Spelling Not Responsible for the Backwardness of American School Children

If this is the sign under which the reformers hope to win, I, for one, feel sure that their error turns here into a menace. The spirit of this statement contains a subtle but grave danger for our whole American school work. The consequences must become the more ruinous from the fact that some of the educational leaders belong to the Board and thus unconsciously add the weight of their authority to these misleading arguments. But my demurrer must not be misplaced. I subscribe, of course, with full conviction to the view that the American school children are from one to two years behind the school children of Germany. I should not hesitate to say even that the difference may be more correctly called two to three years. But I deny absolutely that this has anything to do with the difference in the difficulty of spelling the native tongue. It is sufficient to consider the one fact that every German school child has to learn, not merely one method of writing and reading the German language, but two; he studies the international Latin printing and writing which the Germans share with the English, and at the same time the more difficult and more fatiguing so-called Gothic letters in written and printed form. The writing, especially, in two alphabets, with the difficult Gotnic capitals, enormously multiplies the obstacles in the way of the little school child. If the Germans used only the Latin letters, the child would be surely half a year ahead of his present place in his other studies. Is it necessary to point to the further fact that the formation of sentences and the whole style in German is more complex and thus needs much more school training for correct expression?

Even the spelling is in many respects not less bewildering than that of English. It may be that the American who learns German is less aware of the trickery in spelling, from the same reasons which make the foreigner content with the English spelling. The American, too, sees the German words as soon as he hears them, and welcomes the optical differences between *dir* and *tier* and *ihr*, or between *er* and *leer* and *mehr*, and so on. But for the German child who speaks the words first and knows their sounds to be the same, the difficulties of spelling arise in the school-room. It is therefore utterly arbitrary to suggest that the burden of the American school child is heavier than that of the German; the double German script is alone sufficient to put a much heavier weight on the young German shoulders. And yet those German children are, in spite of their harder work, one to two years ahead, as the Board confesses.

Superficiality and Inaccuracy the Curse of American Schools

The only logical conclusion is that this delay in the educational development of the American school child rests on quite different grounds. It is not difficult to find them. The explanation lies in the poorness of the average school instruction: the lack of thoroughness and mental discipline and accuracy in every subject. This is not the place to inquire into the deeper causes of this fact. We cannot ask here how far the insufficient preparation of the school-teachers is responsible; how far wrong methods of instruction; how far the whole spirit of the country, — which encourages and endorses this superficiality; or how far the carelessness and indulgence of the parents is to be blamed. But it is certain that the lack of accuracy in spelling harmonizes completely with the lack of accuracy and of solid discipline in every other school subject. The blunders in spelling are more easily visible, but the "illiteracy" in history, geography, and arithmetic is in no way less frequent.

It is, of course, not inspiring that a doctor-candidate should have written to me last week about "excepting" a position; but spelling is there in no worse case than all the other requisites of education. Are the Germans, perhaps, quicker at figures, or is the American multiplication table also more difficult than the German? In highly educated Cambridge are two telegraph offices in the shadow of the University. For years I have sent from them cablegrams to Germany; every word costs twenty-five cents, and nothing seems simpler than to reckon that four quarters make one dollar and eight quarters two dollars. Employees in those two offices have changed frequently, and yet I can report the exact fact that not only has no employee ever tried to calculate the price of the cable without paper and pencil, but that the result has been wrong two times out of three. The last time, the cablegram had nine words, and the young man calculated on paper that nine times twenty-five make one dollar and eighty-seven cents.

And this inability of the large mass of American school children to do anything accurately goes on throughout the high schools and into the colleges. It cannot be otherwise. Where the habit of strict mental discipline is not acquired from the very first, intellectual disorderliness becomes habit. The students may read much, may be industrious, and may absorb immense quantities, but they do not master anything completely. Whoever feels an earnest interest in American education ought to give to this lack of carefulness and discipline his most immediate attention; from that point alone can we reform and build up. There alone is the trouble which makes the American school-boy two years behind the German: — because all careless and inaccurate learning is loose, inefficient, and time-wasting learning. The child must go scores of times over the same old ground, and the teacher must waste endless energy and time with dreary repetitions, simply because the child has not acquired from the start the ability to give full, concentrated attention to the material of study. If he gave to spelling and arithmetic only half the attention which he is used to give to practical things, for instance to baseball, then the school children would stand well in line with the German children, and no spelling reform would be needed as a new scheme for coddling their lazy attention.

Educational Fads Retard Real Progress

But just because everything depends upon a growing public opinion in favor of stricter intellectual school discipline, I call it a calamity that the Spelling Board takes advantage of the alarming state of the schools to spread the impression that the backwardness of American school children results from the difficulty of correct spelling. If this fairy tale becomes dogma, then every forward movement of serious educational progress is side-tracked again for a long while. Then there is no one to blame any more; our women teachers are then splendidly prepared for their task; our school children are in the most excellent frame of mind for hard study; the parents make the most ideal efforts to develop in the children the sense of duty and intellectual responsibility; and the only culprit is the treacherous dictionary-maker who does not write *blest* and *blusht:* in short, all that is in future needed for the thoroughness of our school children is that it shall be spelled just *thoroness*.

Seriously, this wide-spread inaccuracy demands the common effort of the whole community, and not the slightest bit of this strength should be diverted. Instead of sincere concentrated effort, there comes

one arbitrary scheme after another to captivate the attention of the public. For a while we heard the cry that the whole wrong arose only because the teachers did not know enough psychology. The public, justly anxious to improve the defective schools, rushed at once into the psychological track; the teachers became overfed with psychological pedagogics. The public felt proud that something was being done, and yet the schools still remained backward. It could not be otherwise, because no psychology and no pedagogics can be a substitute for the first demand — that the teacher shall know the subject which she is to teach. And the chase in the wrong direction, of course, delayed progress in the right one. This time it is not the teacher but the pupil for whom the remedy is advertised. The pupil must have a simpler spelling-book; then everything will be all right, and the two years' difference from the German boy will be got over. I am afraid it will turn attention again in a misleading direction, and the real evil will go on. And yet the children deserve something which is more valuable for life than the three hundred simplified words down to *wisky, wilful, woful,* and *wrapt;* they deserve that the school shall give them a training in accurate methods of learning and thought.

But let us hope that the school children are only brought in for stage effect. This seems the more probable inasmuch as it is not quite easy to see how these three hundred changes can disburden the speller at all. For we hear very soon that, in the opinion of the Board, for most of these words both ways of spelling, the simplified and the cumbersome one, have always been correct. You had always the moral right to put down both *omelet* and *omelette, medieval* and *mediæval, program* and *programme,* and so on. These were the fortunate words which could hardly be misspelled; since, on whichever side you fell, it was right. Thus the new prescription makes it harder, for the boy in future has a choice no longer, but must learn carefully to avoid that form which he finds in most books.

Is an International Language Possible?

Thus, I say, the children are only a side-issue, and the main point is that only the simplified English has hopes of becoming "the international language." We may return once more to this beautiful dream. Is there, indeed, any prospect that English, reformed or unreformed, may become the language of the world? Of course, even the linguistic Anglomaniacs probably do not anticipate that the fifteen hundred other languages will be abolished, like slavery, and all humanity declared free to use the simplified English. Eastern Asia will probably go on with Chinese, spoken to-day by four hundred millions, and with Japanese; South America will go on with Spanish; the hundred and twenty millions of Russia may go on with Russian; and even German, French, Italian, and the rest may still resist for a while, till they are classed with the languages of the cuneiform writings as extinct specimens. The only serious question, therefore, can be whether we may expect that the not-English-speaking civilized nations will agree to use English as the medium of international exchange. In that case the Americans would need English only, while the Frenchmen would have to learn both French and English, and so forth.

I am convinced that such a time will never come and that in spite of surface indications the chances for it were never worse; every argument for simplified spelling which comes from these hopes seems to me, therefore, completely illusory. When the Volapük people dreamt their short dream, and now, when the Esperanto fantasts have had their so-called international meetings, they have rested always in one fundamental creed which, they said, had the certainty of an axiom: that the political and economical situation of the civilized world makes it impossible for the living language of one country to become the international idiom of all others. And surely no one can attack the Esperanto movement as far as this self-evident principle is concerned.

Myths of Volapük and Esperanto

Esperanto, to be sure, builds on this basis an utterly unsafe structure, made up from all kinds of broken and crumbled and unshaped pieces, and calls it the temple of international language. The fact that it is nobody's language is its one true recommendation for becoming everybody's language; even though everybody must feel that such a lifeless, artificial syllable series makes no organic words and sentences.

It is not and cannot be a language. Such a linguistic manufacture is at best a mechanical tool like short-hand, which might be useful for a few definite purposes, — especially if the manufacturers should succeed in mixing in their laboratory a word code having less the flavor of one particular group of languages than Esperanto. Esperanto is, of course, essentially a mutilation of Spanish and French, and therefore sympathetic to the members of the French Academy, who recommend it because they feel that its international acceptance would throw aside the rights of Teutonic linguistic instincts.

The real mistake of the Esperanto Utopians is that they do not inquire whether the necessity for one exclusive common language has any real existence. There is, perhaps, one field in which a linguistic uniformity must be desired: that of international law. But this monopoly belongs to French and can hardly be taken away: all the international treaties for a long time have been written in French, and their rendering into another language would open endless and dangerous conflicts of interpretation. There is no other field in which community of language is essential. In the international scientific congresses, which furnish the favorite argument for our reformers, hardly anyone takes part who is not in any case obliged to follow scientific literature in at least the three languages of English, German, and French. In commercial relations, success has always come to him who masters the language of the customer; if a business house wants the trade of South America it is more natural to expect that one of its clerks will learn Spanish than that all Argentine and Brazil will learn Volapük, a task about as interesting as that of acquiring the Cable Code.

There remains, of course, the possibility that we travel; and that we feel it our duty to wander through Italy without condescending to learn Italian and to stroll through Paris without a word of French. Then Esperanto is to be our help and blessing. One of the leaders of the movement says: "All that is necessary is that in future every child in the civilized world shall learn in the primary school, besides his own native language, the vocabulary and grammar of Esperanto; then, finally, we may travel even through Roumania, and if a button comes off our coat, we can go into any shop on the street and ask the salesgirl, in Esperanto, for the button, and she will give, in Esperanto, the price of it." What a glorious perspective! To be sure, there may be Americans who have discovered that even in Roumania a full pocket-book speaks a species of international language which is sufficient to buy any variety of buttons. And some others may think it perhaps a little out of proportion that the country boy in Ohio or Illinois, or in Russia or Spain or Roumania, who may never in his life leave his native land and may never in his life meet at home a foreign guest, should yet have to learn a second language in anticipation of a stranger's losing a button. And if the American boy really wastes more than a year in largely unsuccessful attempts to learn the spelling of his own tongue: will he be delighted with the prospect of learning the intricacies of Esperanto, too, which offers only the one consolation — that you can learn it pretty quickly provided you master well your Latin, French, Italian, and Spanish?

Would Nebraska and Roumania Pronounce Esperanto Alike?

One other thing seems to the Esperantists not quite so familiar as it is to anyone who, like me, daily uses two languages. The real understanding hangs on the pronunciation, and this cannot be learned at will. I am afraid the Esperanto learned in the Nebraska country school might, after all, sound like Chinese to the salesgirl in the Roumania department store; the pronunciations would be too different. Many of my Harvard students can read German scientific books easily; but if they begin to quote, I have to ask them to translate the text into English; and while most of my colleagues are excellent German scholars, I know very few who pronounce my name correctly. On the other side, of course, the same condition prevails. Moreover, as is natural, an unusual foreign pronunciation is less well understood, the less educated the hearer. I remember that some years ago I spoke in a large American city before an audience of a thousand persons, mostly teachers. I spoke for an hour and a half without notes, and they listened so attentively that I felt quite happy in the thought that I had acquired a sufficient grasp of English to hold such a crowd on a difficult subject. But when I proudly left

the hall and took a cab to go to my hotel, the driver absolutely did not understand where I wanted to go; my foreign *R*, in speaking the name of the hotel, did not roll as he was accustomed to hear it. I had to write down the name of the hotel, and he looked with pity on the man who did not know any English. And so I always found it much easier to give addresses to teachers than to give addresses to cabmen; how can Esperanto help us in such a chaos of human labials and gutturals?

Would Other Nations Endure Subjection to an English Tongue?

But all the blunders of the patent-language inventors cannot justify us in denying that their fundamental creed is right; no living language can become to-day the vehicle of intercourse for the whole civilized world, and it is absurd to look for such a thing. The acceptance of any language, were it English or French or Spanish, German or Dutch, Russian or Japanese, would immediately not only crush the pride of the other nations but would give to the favored people such an enormous advantage in the control of the political world and such immeasurable preference in the world's market that no healthy nation would consent to it before its downfall.

For that reason I said that the chances were never worse; the spirit of strenuous, yet friendly rivalry between the nations in the markets of the world was never more wide-awake, and the feeling of national honor was never purer and nobler. The more the hopes for international arbitration become realized, the more all nations of the world become sincere friends; the more they are eager and ought to be eager to keep clear their own individuality, together with their own rights and duties, their own successes and responsibilities. Andrew Carnegie's liberality may build a palace in The Hague in which a concert of the most enlightened nations speaks justice through its tribunal. But Andrew Carnegie has not the power to elevate his Simplified Spelling Board in Madison Avenue to the height of a tribunal far superior to any Hague Court: a tribunal which shall decide that English ought to become the one international language, because the English-speaking nations have "the most progressive civilization." And yet just that is proclaimed in the very second sentence which the Board has spoken to the world.

Everyone probably agrees that mere richness of means and plenty of big things do not make up the progress of the world; the real progress lies in the advancement of knowledge, of morality, of art, of religion, of law, of literature. If the foreigner's learning of English really meant that he acknowledged the superiority of the English-speaking nations in all these realms, the dream of the Simplifying Board would come quickly to an awakening; national pride would justly put English on the blacklist. We should very soon have similar Boards in Paris and Berlin and so on. No argument can more retard the spreading of English, or of any other language, than that which insists that it has the mission to conquer the world. Might not the Germans say with right that their progressiveness from the days of Luther to the civic and scientific achievements of the present day, has been inferior to none, and that the language of Goethe and Schiller, of Kant and Bismarck, must have the same ambition?

Or is the verdict of the Simplified Spelling Board perhaps only a late punishment for the Germans who some centuries ago ruined the English spelling? The Board itself reports that the earliest printers in England were not Englishmen; mostly they were Germans or Dutch to whom English was a foreign language. They made, of course, blunders in setting up books in a language which they only half knew. The original editions of Elizabethan literature thus became "a marvel of typographic incompetency and of orthographic recklessness." And when the reaction brought an agreement for uniform spelling, it was achieved by the acceptance of the standards set by the printers themselves. All that is certainly very bad. But first, even this does not prove that the Germans are less progressive; since they knew how to print at a time when the Englishmen did not. And further, the Simplified Spelling Board ought to be the last group of men to take vengeance, as without the incompetency and recklessness of those old German printers the whole Board might have nothing to do, and the quarters in Madison Avenue might stand empty.

International Sympathy the Only International Language

In truth, there is no hope and there is no need for a real international language,

either an artificial or a living one. The times of long ago, when the scholarly men, at least, all spoke and wrote in Latin, cannot come back. There is to-day only one international language necessary and possible; the language of good-will and peace and international friendship with the serious effort to understand the motives of our national neighbors and to respect their efforts. This language of good-will cannot be made less useful by any variety of dialects and pronunciations; one may express it in English, another in German, another in Russian or French or Japanese. Yes, this true international language of good-will must spread the quicker, the more serious our effort to learn the foreign living languages; for the safest way to understand the spirit of another nation is by sharing the enjoyment of her finest literature. What is gained by an international word code which aids congresses and travelers and commercial clerks, if it decreases the number of those who can enjoy the language of Shakspere and Goethe and Molière and Dante? And it is not only the enjoyment of literature and the internal approach to the soul of a foreign nation, it is the incomparable gain from the study of the languages themselves which widens our whole personality.

The American boy who learns French or Italian or German up to the point where a real feeling for the language begins, must indeed perceive that his horizon becomes a new one. The German language perhaps appears to him difficult at first; then the moment suddenly comes when he feels that a new manifoldness of inner movements has become living in his mind and has brought undreamt-of satisfactions. It is like the experience of a traveler who has seen public buildings only in the classic column style, and who comes to Europe and beholds consciously for the first time the Gothic churches of France and England and Germany. He cannot stand before the dome of Cologne without feeling that there new energies awake in his mind. Never before has he seen these myriads of arcs and curves and figures, all harmoniously controlled by one great movement, toward the tower which points to heaven. This Gothic style is for him a new language of form, and he is enriched for his lifetime. Wonderful and complex like a Gothic cathedral is the dome of the German language, and yet dominated by that perfect harmony which bends the multitude into most wonderful unity. To deprive the youth of such beauties and to make them believe that it is nobler to demand a monopoly for one's own language is certainly not serving the progress of civilization at home.

Scholars Can Only Ratify a Usage Which Has Come About Spontaneously

But whoever studies German besides his English will find there also, and just in its recent movements, how concerted effort can really improve and develop a language without the arbitrary methods of a Simplification Board. It is true that German spelling also has been reformed in recent years and that some changes have been introduced in the schools. I do not want to praise and I cannot even excuse every one of those German spelling reforms; some of them seem arbitrary and poor. But the essential purpose was to make an end of the confusing doubleness in the spelling of many words. Wherever, in the natural growth of writing, a variety of written forms develops together, the decision of competent men can really help to unify public customs. As far as the American Board has aimed toward this goal, it has done what the Germans did with much success, and every reasonable man ought to support its efforts. If it decides for *meter* instead of *metre* and for *labor* instead of *labour*, it crystallizes the real tendencies; and certainly no word of mine is directed against such useful endeavors. But that is not the essential work of the Board. So far there has never been in the writing of our time an uncertain hovering between *thru* and *through*, between *blest* and *blessed*, etc. The Board, instead of favoring one of two familiar ways, has closed the only known way and laid out a new one which seemed to it shorter.

More than all, what Germany has achieved with still more success and yet almost without the notice of the foreign world, is the purification of its whole style and expression. In the first place, the clumsy words of Greek, Latin, and French origin are more and more being abolished; private societies have turned public opinion earnestly to this task, and success is even to-day beyond expectation. Further, sentences have become more lucid and less involved, the whole diction has become clearer, and

the choice of words has become more characteristic. It can be said that the German of the best authors of to-day is absolutely different from the German of twenty years ago; a new style has grown up through the persistent efforts of the nation, without any artificial prescription. Natural growth, and not mechanical construction, remains the life-condition for every element in languages. But if the Americans begin to allow a Board to prescribe perfectly unusual methods of spelling for mere simplicity's sake, then there is no reason why a rival Board should not start to forbid certain cumbersome words and phrases, and prescribe a simplified grammar. Yes, as soon as, in spite of the Constitution, such matters cannot be discussed any more, but must be *discust*, we cannot be sure that the rival boards may not presently form a word trust which will simply dictate which phrase-mills are to be allowed to run and which are to be closed: all for the higher profit of the world language which will ever remain a phantasm, even if you are obedient and write it simplified, with an F.

WHEN JONATHAN HATCH HARKS BACK

BY

CHARLES FLEMING EMBREE

AUTHOR OF "BRINER'S WHEAT," "THE CHUMP," "UNCLE SAMMIE," ETC.

THE Honorable Jonathan Hatch was winning criminal cases when courts were rural and full of quaint but virile humor. He saw the trees growing where most of your Princeton houses stand.

On the street in summer he wears a loose, black alpaca coat, which has a certain flippant freedom of movement and a reminiscent shimmer when the Honorable Hatch's angles play beneath it. His hat is high and glistening. His tie is thin and abandoned. He is scrupulously clean; his body is a tall one, with shoulders a little stooped; his face is eccentrically strong and rather lean, and his eye twinkles.

His indoor dress and manner could have been gathered by anyone looking in at the sitting-room window on a certain June day at one o'clock. Having eaten with that lawlessness known only to the dyspeptic, the old gentleman was taking his snooze over a weekly paper. The house was on that street most affected by modernity. If it was not Hatch, but Hatch's wife and daughter, who had built that edifice over, made a haughty and polished thing out of it in accordance with the times, only the more strikingly had this change been accomplished. The old yard, where tasseled grass ran long riot and died in yellow tangles in the fall, had left as its successor a modern lawn, all clipped. There had once been a fence, primitive protest against the liberty of cows; but later-day throngs had pressed away their mild-eyed hunger; and the fence was down.

The sitting-room was large, with chaste, sky-blue walls; and from a gold band, running round two feet below the ceiling, hung paintings. The chandelier was ornate, fantastic as the very electricity which at night informed it. Two electric bulbs were the burdens of two Grecian maids in bronze beside the fireplace. Brass andirons, arrogant with years, gleamed from the cavity itself. The carpet was of shades light and delicate. The furniture was handsome; the very seat which the Honorable Hatch's body pressed suggesting frost-work, spun gold, and daffodils. But Mr. Hatch was sunk far down, violating the chair by the negligence

of his posture. One leg soared up, and a shoe that gaped around a white sock was resting on the marble mantel-shelf beside a statuette of Cupid. His collar, coat, and tie lay on the floor. His hat was on the electric bulb upheld by a Greek. Having snored, Mr. Hatch woke up and meditated.

"Maria!" he called.

His wife came in, a lady with gray hair and a face that would be plump forever. Unlike her husband's, her apparel progressed with the times.

"Jonathan," said she, in subdued speech, "what a spectacle you are!"

"I am a little incongruous, Maria," mused he, some drollery in the glance that fell upon the furniture. "But it's the chairs that have changed—not I. Maria, I have harked back."

"To what?" she asked, and came and sat on the arm of his chair. "Draw down your foot, Jonathan."

"I want the good old times," said he, his voice having the suggestion of that ring which the court-room knew. "This is nice; it's all very well. I like the carpet. I'm not displeased to stand behind you two and see you go on." He waved his hand. "It's right. I'm glad Elizabeth has married a banker who is rich, and that she leads where others follow. But I get thirsty, as near as I can make out, about once a year. I need a moistening up. Maria," he turned his spry old eye, now wistful, up to her, "I'm harking back."

She laughed and gave him a resounding kiss which had the flavor of old harvests.

"What do you want to do?" asked she.

He arose, tall, bent, and inspired. He seemed to be pleading with a jury, and his arm was outstretched.

"I want 'em here. I want to bring 'em right in here; the boys, the old-time boys. I want to sit 'em down on these very spangled chairs. Fitting? It ain't fitting. I don't want it to be fitting; and I won't be crowded out. I want their boots trampling on the pink spots of this carpet. Maria, I tell you what; I want to prove to this furniture that I'm still in the ring!"

She glanced about with a hurried look.

"Who will they be?" she asked, diving right to the question's vitals.

"All of 'em," cried he, with a wave of the hand. "Judge Mapletree!"

She winced.

"Old Silas Gray."

She arose and stood gazing at him in dismay.

"Lawyer Whiffle, Sammie Jones, old Jim Ford, and Appleby Peterson."

"Peterson! Oh, Jonathan, what *do* you want with Appleby Peterson?"

"Want with him?" cried the Honorable Hatch. "Didn't he lick me at the schoolhouse well?"

A long pause.

"Father!" cried a young voice, as Elizabeth Hatch Kendricks and her little girl came in with a striking costume effect. "I hope you'll make him wash his beard before he comes. Oh, father!" The handsome woman stood fixing him with a look of fond outrage, while little Minnie clamored round the Honorable Hatch's knees. "Why, I think it would be awful. All those old things would spoil the house."

"Now, Lizzie; now, Lizzie," he said in a begging way, the drollery in his eye. "I'll pay for the damages. Anyhow, I'll not let 'em run beyond the hall and this one room. You can head 'em at the door."

"But what would you have them do?" appealed Mrs. Hatch, a little tainted with the contagion of the idea.

"We'll roll out the old decks and play euchre; we played with 'em forty years ago. Maria, don't you recollect when old Abe came riding through — Hm"— he was dreaming with a smile —"when old Abe came riding through?"

"Mother," said Mrs. Kendricks, turning on her heel and sailing toward the door; "if you let him do it you don't *deserve* a handsome house."

"Oh, gracious me," said Mrs. Hatch, abandoning the whole thing, in a bustling and fussy way; "how can I stop you if you will? But, Jonathan, Jonathan," wheeling toward him with new despair, "they'll ruin things."

"I'll pay for 'em, Maria. I promise faithfully to pay every cent. Honest, Maria, I'll pay for 'em." A pause; then a smile broke over Hatch's face. "Maria," said he, putting his finger under his chin, "there are two bottles of old Scotch in the cellar."

"You'd better never let the preacher know," cried she with startled merriment.

He ruminated. "As for Appleby Peterson, Lizzie," he said; "I'll get you a sponge, and when he comes you can take him under the electric chandelier and sponge his whiskers."

Lizzie sniffed.

The appointed night came. Mrs. Hatch had dressed her hair in an old-time fashion, and her costume was black and white. But it was with an anxious eye that she saw the sitting-room radiant and full of tables, among which little Minnie, in pink, ran holloing. Down the stairs came Jonathan Hatch, just as the town saw him every day upon the street. A laughing and a tramp of feet sounded without, the porch echoed with stampings, and the door-bell rang. Jonathan threw the portal open, and the past swept in.

"Judge Mapletree! By George, Judge, what you loafin' round here for?"

"He's huntin' a goods box, Jonathan," cried Sammie Jones.

"Judge, have you got an old greasy deck about you? Ha! Ha!—and here's old Whiffle. Whiffle, I was thinking about the time the teacher whaled you for kissing Nannie Buck. Sammie, don't you recollect that there was something peculiarly virile and original in his yell? Put your hats around somewhere. Hello!—here's half a dozen more. If it ain't Silas Q. Gray."

Gray was old and white and bushy, his beard flowing; he looked up, as it were, from under his own stooping, with a grin. His voice was high.

"Howdy, Mrs. Hatch. Ain't it a little dainty—a little dainty for us—a lit-tle dain-ty?"

Two dozen or more had come, free old boys, some breezy, some shabby, all perfectly at home. They made a decrepit hubbub, banging about sluggishly among tables. There was a long, plaintive pull at the bell.

"That's Appleby," opined several.

In came Mr. Peterson, last arrival; and a shout from the tables greeted him.

"Heh-heh-heh," laughed he, in slow, dry staccato; and "heh—heh—heh."

He stood and gazed about, his old felt hat on, his ragged hair hanging round his face, his squat body slouching, his beard a trifle foul.

"Appleby Peterson," cried Jonathan Hatch, "you licked me by the school-house well, durn you. I've a notion to take you right over under them glass things and wallop you."

"Heh-heh; you dassent," said Appleby. "What's trumps, Jedge Mapletree? I'll beat you till you don't know whether it's a cracker-box or a beer-keg you're a-settin' on. Wallop me, Jonathan? Heh-heh; you dassent;—heh-heh-heh."

"Deal 'em out, boys. By George, there's one too few tables. Maria, we counted wrong; never mind."

Hatch went away and came back carrying something.

"This'll do," said he. "Appleby, sit right on that yellow cushion; right on it, I say."

"Jonathan!" cried Maria, throwing up her hands; "what have you brought in?"

"It's the hired man's wash-stand, Maria. Jim Ford, are you prejudiced against playing cards on this wash-stand?"

The Judge and Whiffle were rattling the spangled furniture at a neighboring table. Whiskers were wagging.

"I'll just put my hat," said Appleby Peterson, "on this thing on the chandelier here that looks like a hook stickin' out. Say, Jonathan, ain't this chair a little too—heh—a little too gaudy fer me?"

"Appleby Peterson, if you don't put your pants right square down on that yellow cushion——"

"Sammie," Silas Q. Gray's high quaver was saying, yonder at a mahogany table on the under polished shelf of which one of his boots rested; "Mrs. Deckerman says they used to tell the day of the week by Judge Mapletree's necktie. If it was white it was Monday, and a kind of a smutty drab was Thursday. Saturday it was just plain filthy. Same tie."

There was an uproarious laugh.

"Whiffle, you played that ace?" said Jonathan Hatch. "Come on, then; come on, if you think there's no hereafter."

Some men smoked, and the air was thick and rank.

"Aw, Bill," said a rasping-voiced doctor, "you little skunk, is that the best you could do?"

"Hold up! I thought I saw the king of spades in my hands. Doc, my eyes have joined the rebs. You recollect that game we had just before Perrysville? Gosh, ain't we got but one point? What you doin' with them cards?"

"I don't have any luck," complained old sandy Sammie. "These ain't cards you gimme, Judge; they're nothin' but napkins. Ain't a spot on 'em." Then, in disgust, as a trick escaped him: "'Course."

"Come on; come on, if you think there's no hereafter," soared up Jonathan Hatch's

periodical challenge amidst the slapping of cards.

"Heh-heh-heh!" laughed Appleby, with a sudden access of rickety triumph, in which he spat upon the floor. "Heh-heh!" He chewed and spat again.

Mrs. Hatch was aghast at the state of the carpet and taking in painful details too numerous, yet with a pleasant reminiscent thrill in her bosom. Mrs. Kendricks, with the sweetly cultured air of a trained hostess, was moving among the tables; and when she lifted her skirts that they might not drag on a certain spot, once pink, near Appleby Peterson, she did it as though by chance and smiled at Appleby. Little Minnie ran all around, cramming cake.

"Ha! ha! Appleby Peterson," Jonathan was crying, to the confusion of his daughter; "you know what Lizzie begged me to let her do? She wanted to take you underneath the electric chandelier and sponge your whiskers."

They all laughed and beat the tables, and Mrs. Kendricks went out.

"Oh, well," said Appleby, dejectedly; "my wife wouldn't let me cut 'em off. What's a feller to do?"

The Judge had taken off his collar; he was very warm. Both of Mr. Whiffle's feet were scraping the mahogany shelf. Old Sammie had the misfortune to smash a vase because, to play a card with vim, he first threw his hand high up and struck the fragile thing.

"'Course," cried he; and ever and anon, when tricks escaped him, the exasperated ejaculation was repeated — "'Course."

Yonder, in a corner at the farthest table, four mumbling old codgers, seeming all beard, contended. It was like some confused, bushy, mysterious mêlée of agitated whiskers.

At last the games broke up.

"I forgot the Scotch," cried Jonathan, and the liquor was brought. And now they all gathered in a circle. Appleby Peterson put his shoes on a spangled chair and told some stories which roused a new hilarity. They shouted. The hour was growing late; the last warmth of the Scotch was coursing through their veins.

Now some one wanted Mrs. Hatch to play the piano. She went into the next room where the instrument stood, leaving the door ajar, and they presently heard her touch the keys. A stillness fell on them; the tune was "Marching through Georgia." It had a sprightliness that was somehow sad. It had a wild, triumphant ring that was yet like the ring of a voice from the grave. And a change passed over the company; a wanness which was bright with transfiguration appeared on many a face. As some mothers, grown old, listen to hymns, as the last Girondist, risen, might listen to the Marseillaise; or as an Israelite, coming down from Canaan, might hear again in his age the Red Sea's rolling; so they listened to this, their hymn, their Marseillaise, the rolling of their old Red Sea.

At length, when the music was ended, they sat there for a moment in silence, some looking at the ceiling, some at the wall, and some at the floor. Then Judge Mapletree, collar in hand, arose; they all arose, gave the many-handed shake to Jonathan, and wandered away.

"Good-by, Sammie; good-by. I'll fix the deck to suit myself next time."

"Mrs. Hatch — hm — I'm afraid it ain't just quite so dainty — quite so dain-ty? Good-night."

"Bill, get along with you; wantin' to stay all night?"

"Law, if there ain't the little gal asleep on the stairs."

"Looks like an angel," said Appleby Peterson. "Heh-heh-heh."

"Good-night. Good-by, boys. Drop in any time."

"Good-by."

"'By, Mis' Hatch."

The house was still, and Mr. and Mrs. Hatch went and sat down in the sitting-room. There was a look of wistful happiness on the countenance of the Honorable Jonathan. She looked about, and his eye followed hers.

"Maria," he said with a smile; "I've been figuring it up. Would three hundred and twenty settle the bill?"

She kissed him with that flavor of old harvests.

"Jonathan, you may hark back every year," she said.